

<div>Page 1</div> <div>UNITED STATES DISTRICT COURT DISTRICT OF MASSACHUSETTS IN ADMIRALTY</div> <div>***** GREAT LAKES INSURANCE SE vs. 4:20-cv-40020-DHH MARTIN ANDERSSON *****</div> <div>DEPOSITION BY ZOOM OF MARTIN ANDERSSON, a witness called on behalf of the Plaintiff, pursuant to the Rules of Civil Procedure, before Karen D. Pomeroy, Registered Diplomat Reporter and Notary Public in and for the Commonwealth of Massachusetts, at 215 Stockton Boulevard, Sea Girt, New Jersey, on Friday, June 4th, 2021, commencing at 10:02 a.m.</div>	<div>Page 3</div> <div>INDEX</div> <div>DEPOSITION OF MARTIN ANDERSSON Examination by Mr. Goldman 4</div> <div>PAGE</div> <div>EXHIBITS</div> <div>NumberPage Exh bit 29 Application Form 222</div> <div>Exh bit Attached</div>
<div>Page 2</div> <div>APPEARANCES: MICHAEL I. GOLDMAN, ESQUIRE Goldman & Hellman 233 Harvard Street, Suite 211 Brookline, Massachusetts 02446 For the Plaintiff</div> <div>MICHELLE M. NIEMEYER, ESQUIRE HARVEY HEAFITZ, ESQUIRE Michelle M. Niemeyer, PA 244 Biscayne Boulevard No. 3009 Miami, Florida 33132 For the Defendant</div>	<div>Page 4</div> <div>MARTIN ANDERSSON, having been duly remotely sworn by the reporter, was deposed and testified as follows:</div> <div>EXAMINATION</div> <div>BY MR. GOLDMAN:</div> <div>Q. Good morning, Mr. Andersson. My name is Michael Goldman. I'm from the law firm of Goldman & Hellman. I represent Great Lakes Insurance in this matter, and we're here to take your deposition today.</div> <div>I have a bit of a speech to give, just to make sure we get everything right and to make sure we get a good record.</div> <div>First, we have to obey certain courtesies. We must work as hard as we can to wait patiently for everyone to finish speaking and then to speak in our own turn. This is even more vital now that we are in the Zoom age.</div> <div>I'll ask you to wait patiently until I'm done phrasing my question, and I will do my very best, of course, to be patient while you give your full answer.</div> <div>If I get excited, please don't think me</div>

Page 5

discourteous. It's just -- as I said, just excitement on my part.

All your answers have to be verbal, sir. You can't nod your head; you can't say uh-huh; you can't shrug a shoulder; or, rather, you can do all those things, but you must also speak.

Please don't guess, sir. If you know the answer, say so. If you don't know the answer, just say so. We want the clearest answers we can get. If necessary, ask me to ask a better question. All right.

Here's the warm-up. For the record, can you please state your full name, your date of birth, and your current residential address.

A. Martin Andersson. [REDACTED]
[REDACTED] in Sea Girt, New Jersey.

Q. Are you employed?

A. No.

Q. What do you -- if you -- if you work, what do you do for a living?

A. I -- I worked in sales.

Q. What do you sell?

A. I don't do sales. I did.

Q. What did you sell?

Page 6

A. I did sell custom spinal orthotics.

Q. Are you retired now?

A. Yes.

Q. Very good. Have you ever been deposed before today?

A. No.

Q. Are you a high school graduate?

A. Yes.

Q. Any education after high school?

A. Yes.

Q. What kind of education do you have post high school?

A. Marine academy in Sweden, and some university studies in Sweden and Australia.

Q. Did you graduate from the marine academy?

A. Yes.

Q. What kind of degree do they issue?

A. They had a Swedish or an international radio officer's license.

Q. Did you graduate from university other than that?

A. No.

Q. What classes did you take at university?

A. Business and marketing.

Q. Do you have any kind of professional

Page 7

certification?

For instance, us lawyers have to be admitted to the Bar.

A. Well, I do have a captain's certificate from I think early 1990. It's an international license.

Q. Who issued that captain's certificate?

A. Swedish authorities.

Q. Do you have any other captain's certificates from any other authorities?

A. No.

Q. Do you have to do anything to maintain the currency of that captain's certificate?

A. No.

Q. Where is your vessel today, sir?

A. I'm not sure I understand that.

Q. What is the name of the vessel that is the subject of this litigation?

A. The name of that vessel is Melody.

Q. Do you still have that vessel?

A. No.

Q. All right. We're going to start with the first document, which --

MR. GOLDMAN: Michelle, what exhibit number did we get to with our last depo?

Page 8

MS. NIEMEYER: Twenty-eight. You should start with 29.

MR. GOLDMAN: Splendid.

MS. NIEMEYER: As long as you're okay with -- I sent you an email. We had two 26s, and the suggestion was to utilize 26A on the second one.

MR. GOLDMAN: Splendid.

MS. NIEMEYER: If you're okay with that solution, then we end with 28 and start here with 29.

MR. GOLDMAN: That sounds great.

BY MR. GOLDMAN:

Q. All right. Can you please turn -- I sent your counsel I believe it was five PDF documents.

Can you turn to the exhibit which we're going to mark as 29 which says at the top Application Form, and it has some handwritten text.

MS. NIEMEYER: Michael, those exhibits in the form they were produced don't have the name of what it says it is.

Do you have a Bates number because they're easier to open if we can start -- know the starting Bates number.

<p style="text-align: right;">Page 9</p> <p>1 MR. GOLDMAN: Absolutely. The Bates number 2 for this document is Andersson_AB000132. 3 MS. NIEMEYER: Martin, do you have that 4 accessible to you right now? 5 THE WITNESS: I will try to find. Hang on. 6 MR. GOLDMAN: I can resend them all in an 7 instant if you'd like, Michelle. 8 MS. NIEMEYER: It's -- we shared them, but 9 the question would be whether, you know, Martin 10 came to this prepared to open documents on his 11 own. 12 We can share it through Zoom. 13 THE WITNESS: Hang on. 0013 -- what was it, 14 132? 15 MR. GOLDMAN: 132. 16 THE WITNESS: I have 130 and 134. Hang on. 17 Let's see if I have it somewhere else. 18 No. I don't have that. 19 MS. NIEMEYER: Martin, let me forward you -- 20 I thought I sent you that email. 21 I'm going to forward you Michael's email 22 right now. 23 THE WITNESS: Okay. 24 MS. NIEMEYER: And that way --</p>	<p style="text-align: right;">Page 11</p> <p>1 Q. Did you fill out this document? 2 A. Not the whole of it, no. 3 Q. Which parts did you fill out? 4 A. Let me see. From this page here, the No. 7 I 5 checked off. I checked off yes first, and then I 6 crossed it out and checked no. 7 And on No. 8, I checked it off and said seven 8 months. And the other ones too following that. 9 And then down below here, I filled in my 10 details here. 11 Q. All right. Is there any part of this that anyone 12 else filled out? 13 A. Yeah, I guess somebody else must have filled it 14 out; the rest. 15 Q. Can you tell me which parts? 16 A. The rest. 17 Q. Is that everything starting with All operators 18 must be detailed? 19 A. Hang on. I've got to see if I can -- this here, 20 it says QT; this is not my writing. Private use, 21 no crew, Century Mill Road is not my writing. 22 All the way down there, 36,500 and all the 23 numbers following that below. Sail, inboard, 24 those Xs are not my Xs. Catana Sail Cat was</p>
<p style="text-align: right;">Page 10</p> <p>1 MR. HEAFITZ: Can you kindly copy me with 2 that. 3 MS. NIEMEYER: Yes, of course. Sorry, 4 Harvey, I thought you were copied, but I see here 5 you were not. 6 (Pause in the proceedings.) 7 MS. NIEMEYER: Martin, do you have it? 8 THE WITNESS: No. Did you send it now? 9 MS. NIEMEYER: I sent it. 10 THE WITNESS: Oh, something came now, okay. 11 MS. NIEMEYER: It should have five -- 12 THE WITNESS: It says -- it says 0034 is what 13 it says. I looked for -- cannot write -- cannot 14 do it. I don't know why. 15 It won't let me open. Hang on. 16 MR. GOLDMAN: Let's go off the record while 17 we figure this out. 18 (Recess was taken from 10:11 a.m. until 10:14 a.m.) 19 BY MR. GOLDMAN: 20 Q. All right. Mr. Andersson, have you ever seen 21 this document before today? 22 A. Yes, I believe so, yeah. 23 Q. Can you tell me what it is? 24 A. Well, it's an application for insurance.</p>	<p style="text-align: right;">Page 12</p> <p>1 typed in. Grenada, that's not my writing. And 2 Florida, what that says, Bahamas maybe, 3 Caribbean, and no passengers, that's not my 4 writing; not my circles. These answer, obviously 5 they -- the broker's writing. 6 What did you refer to you said? What was -- 7 Q. I'm just asking you to identify the parts of this 8 that you did not fill out. 9 A. Well, I did that. 10 Q. Okay. 11 A. Was that enough for you? 12 Q. I believe so. Scroll down to the third page. 13 Is there anything on the third page that you 14 did not fill out? We're on the third page, 15 excuse me. 16 A. I did not write all boxes on the left where my 17 full name and all that is or my full date of 18 birth and all that. 19 Q. Okay. I see. Thank you very much. Look through 20 it again and can you tell me, please, is there 21 anything on this document that is inaccurate? 22 Let me clarify. Whether it's information 23 that you wrote in or someone else wrote in, 24 please tell me if any of the information is</p>

<p style="text-align: right;">Page 13</p> <p>1 inaccurate.</p> <p>2 A. At the time when I was writing this, this was all</p> <p>3 accurate with the -- including the address.</p> <p>4 Q. Okay. Thank you.</p> <p>5 A. But I didn't write the address. That was the</p> <p>6 other guy. The broker.</p> <p>7 Q. Splendid. Thank you. We'll move on from this</p> <p>8 document.</p> <p>9 How many vessels have you owned in your</p> <p>10 lifetime?</p> <p>11 A. Owned?</p> <p>12 Q. Owned.</p> <p>13 A. Three sailboats.</p> <p>14 Q. Any other type of boats?</p> <p>15 A. No.</p> <p>16 Q. What was the first boat you owned?</p> <p>17 A. That was the Laser.</p> <p>18 Q. And when did you own it?</p> <p>19 A. Oh, I don't remember that. I'm 72 years old.</p> <p>20 Q. Can you give us any kind of date range?</p> <p>21 A. When I was 16, I joined the Swedish Navy, and I</p> <p>22 start sailing there; and from then on, I owned</p> <p>23 small boats, bigger boats.</p> <p>24 I was part owner of a Linjett 38 or 39 and I</p>	<p style="text-align: right;">Page 15</p> <p>1 A. No.</p> <p>2 Q. Did any of them ever sink?</p> <p>3 A. No.</p> <p>4 Q. Did any of them ever have a grounding?</p> <p>5 A. No.</p> <p>6 Q. Did any of them ever suffer any engine damage?</p> <p>7 A. No.</p> <p>8 Q. Has anyone ever been hurt aboard any of the</p> <p>9 vessels you own?</p> <p>10 A. No.</p> <p>11 Q. Have you -- did you ever submit an insurance</p> <p>12 claim relating to any of the vessels you owned?</p> <p>13 A. No.</p> <p>14 Q. Do you currently -- I think I may have asked this</p> <p>15 already, but please forgive me if I'm repeating</p> <p>16 myself.</p> <p>17 Do you current -- do you hold any current</p> <p>18 sailing certifications or qualifications?</p> <p>19 A. Yes.</p> <p>20 Q. Is that the one we discussed earlier from the</p> <p>21 Swedish Navy?</p> <p>22 A. Yes. No, Swedish -- it's a civil authority.</p> <p>23 Q. Thank you for clarifying.</p> <p>24 Prior to purchasing the Melody, had you ever</p>
<p style="text-align: right;">Page 14</p> <p>1 sailed Swans; I was not owner. I sailed quite a</p> <p>2 few boats before.</p> <p>3 Q. The first boat you owned, was that in the 1980s?</p> <p>4 A. No, the Laser was before that, I think.</p> <p>5 Q. Okay.</p> <p>6 A. I don't remember.</p> <p>7 Q. I understand. What was the second boat you</p> <p>8 owned?</p> <p>9 A. I don't remember.</p> <p>10 Q. What was the third boat you owned?</p> <p>11 A. I don't remember, but I can start guessing if you</p> <p>12 want.</p> <p>13 Q. Not necessary.</p> <p>14 A. Okay. Then I don't know.</p> <p>15 Q. When did you purchase the Melody?</p> <p>16 A. Melody I purchased December 2019.</p> <p>17 Q. Previously you said you owned three vessels.</p> <p>18 Does that include the Melody?</p> <p>19 A. Yes.</p> <p>20 Q. Did any of the prior vessels that you owned ever</p> <p>21 suffer any loss?</p> <p>22 A. No.</p> <p>23 Q. Did either of them ever have a collision or an</p> <p>24 allision?</p>	<p style="text-align: right;">Page 16</p> <p>1 owned a vessel that was operated in the</p> <p>2 Caribbean Sea before?</p> <p>3 A. Yes.</p> <p>4 Q. Which vessel?</p> <p>5 A. That was the Leopard 444.</p> <p>6 Q. Do you remember approximately when that was?</p> <p>7 A. I think we sold that one in 2017, I think, and it</p> <p>8 was -- yeah, 2012 to 2017. Something like that.</p> <p>9 I'm not exactly sure.</p> <p>10 Q. Was that a commercial craft or a private pleasure</p> <p>11 craft?</p> <p>12 A. It was a private pleasure craft that was in</p> <p>13 charter with what they call a -- not moorings,</p> <p>14 the other one. Something.</p> <p>15 Q. Can you tell me what that means, in charter?</p> <p>16 A. We buy the boat; they put it in charter; they pay</p> <p>17 us for the charter costs and the insurances and</p> <p>18 everything, and then we have access to it and</p> <p>19 other boats in their fleet.</p> <p>20 Q. Who was it chartered to?</p> <p>21 A. Sunsail.</p> <p>22 Q. Do you know what they used the vessel for?</p> <p>23 A. Renting it out to other people wanting to sail.</p> <p>24 Q. At the time of the loss that is the subject of</p>

<p style="text-align: right;">Page 17</p> <p>1 this suit, were you taking any medications?</p> <p>2 A. No.</p> <p>3 Q. When did you hire Mr. Naranjo to serve as crew</p> <p>4 aboard your vessel?</p> <p>5 A. I don't know exactly the date when -- when that</p> <p>6 was, but I met him and had him and his family on</p> <p>7 board in Aruba several times; so I don't -- I</p> <p>8 can't put a date on it.</p> <p>9 Q. Was it prior to December 2018?</p> <p>10 A. No, it was in December 2019.</p> <p>11 Q. Did he give you a resumé?</p> <p>12 A. No.</p> <p>13 Q. How many vessels had Mr. Naranjo owned in his</p> <p>14 lifetime?</p> <p>15 A. I don't know.</p> <p>16 Q. How many vessels had he ever served on as crew</p> <p>17 prior --</p> <p>18 A. I don't know. I don't know.</p> <p>19 Q. Do you know if Mr. Naranjo had ever served as</p> <p>20 crew on a vessel that had ever suffered a loss?</p> <p>21 A. I don't know.</p> <p>22 Q. Do you know if Mr. Naranjo had ever submitted an</p> <p>23 insurance claim related to a vessel?</p> <p>24 A. I don't know.</p>	<p style="text-align: right;">Page 19</p> <p>1 navigating any of the vessels that he served on</p> <p>2 as crew?</p> <p>3 A. No.</p> <p>4 Q. Do you know if Mr. Naranjo was taking any</p> <p>5 medications at the time of the loss that --</p> <p>6 A. He was not. He was not.</p> <p>7 Q. Sir, please don't think me impolite, but</p> <p>8 especially because of the Zoom format, you must</p> <p>9 wait for me to finish my question.</p> <p>10 Okay?</p> <p>11 A. Okay.</p> <p>12 Q. Thank you. First off, there's the danger of</p> <p>13 misunderstanding my question.</p> <p>14 Second, our court reporter has to have -- has</p> <p>15 to maintain a clear record.</p> <p>16 Do you understand, sir?</p> <p>17 A. Yes.</p> <p>18 Q. Thank you. Again, please don't think me</p> <p>19 impolite. I'm just trying to make sure we have a</p> <p>20 good record.</p> <p>21 Where was the Melody on the morning of</p> <p>22 December 14th, 2019?</p> <p>23 A. In Varadero in Aruba.</p> <p>24 Q. Did you do anything to plan for the voyage that</p>
<p style="text-align: right;">Page 18</p> <p>1 Q. Do you know if Mr. Naranjo held any formal</p> <p>2 sailing certifications or qualifications?</p> <p>3 A. I don't know.</p> <p>4 Q. Do you know if he'd ever taken any classes on</p> <p>5 sailing?</p> <p>6 A. I don't know.</p> <p>7 Q. Do you know if he'd ever been to a school that</p> <p>8 had taught sailing?</p> <p>9 A. I don't know.</p> <p>10 Q. Can you please give me a description of</p> <p>11 Mr. Naranjo's sailing background.</p> <p>12 A. He had sailed boats when he was younger in</p> <p>13 Holland and Aruba, and that was about it.</p> <p>14 Q. Sailing vessels, power vessels, or both?</p> <p>15 A. Sailing vessels.</p> <p>16 Q. Did he ever serve as captain aboard any of those</p> <p>17 vessels?</p> <p>18 A. I don't know.</p> <p>19 Q. Can you tell me where those vessels were when he</p> <p>20 served as crew?</p> <p>21 A. No, I can't. I said in Aruba and the</p> <p>22 Netherlands.</p> <p>23 Q. Thank you for the -- thank you for the reminder.</p> <p>24 Do you know if he was responsible for</p>	<p style="text-align: right;">Page 20</p> <p>1 you were about to embark on?</p> <p>2 A. Yes.</p> <p>3 Q. What did you do?</p> <p>4 A. Provisioning; checking equipment; checking all</p> <p>5 the things you do prior to taking on a voyage.</p> <p>6 Q. Did you check the weather in your area before</p> <p>7 departing?</p> <p>8 A. Yes.</p> <p>9 Q. Did you check the weather along your projected</p> <p>10 route before departing?</p> <p>11 A. Yes.</p> <p>12 Q. What was the forecast weather along your</p> <p>13 projected route?</p> <p>14 A. Well, I can't remember exactly, but it was not --</p> <p>15 it was not prohibitive in the way of wind and</p> <p>16 swell.</p> <p>17 Q. What would have been prohibitive?</p> <p>18 A. Storm; gale.</p> <p>19 Q. Any storm or gale or only a storm or gale with a</p> <p>20 certain strength?</p> <p>21 A. No, storm is a certain level of strength; and</p> <p>22 gale is a more increased -- well, severe levels</p> <p>23 of that.</p> <p>24 Q. Can you describe those for me; for a landlubber</p>

<p style="text-align: right;">Page 21</p> <p>1 like me.</p> <p>2 A. Not exactly.</p> <p>3 Q. What do you understand the difference to be</p> <p>4 between a storm and a gale?</p> <p>5 A. It depends on where you are.</p> <p>6 Q. What do you understand the difference to be</p> <p>7 between a storm and a gale in the Caribbean Sea?</p> <p>8 A. It depends on where you are.</p> <p>9 Q. What do you understand the difference to be where</p> <p>10 you were on December 14th, 2019?</p> <p>11 A. I decided that it was okay to go because the</p> <p>12 swell wasn't that high and the wind wasn't that</p> <p>13 strong.</p> <p>14 Q. Prior to departing, did you identify any safe</p> <p>15 ports in the event of an emergency?</p> <p>16 A. My intention was to go north of -- safe distance</p> <p>17 to the Venezuelan islands; so my next port would</p> <p>18 have been -- if I needed one, would have been</p> <p>19 Grenada or thereabouts.</p> <p>20 Q. What food and water did you have on board?</p> <p>21 A. What food and water?</p> <p>22 Q. How much food and water did you have on board?</p> <p>23 A. Enough for a couple of weeks. I have watermaker.</p> <p>24 Q. How much fuel did you have on board?</p>	<p style="text-align: right;">Page 23</p> <p>1 Q. Did you consult any other publications while</p> <p>2 planning your trip?</p> <p>3 A. Yes. Not publications. Websites.</p> <p>4 Q. What did you consult?</p> <p>5 A. Hang on. I have it on my iPad here. I have to</p> <p>6 wait until that loads up.</p> <p>7 It's called PocketGrid and National Hurricane</p> <p>8 Center.</p> <p>9 Q. Was there any alcohol aboard your vessel prior to</p> <p>10 or during the voyage?</p> <p>11 A. On board?</p> <p>12 Q. Yes.</p> <p>13 A. Yes, it was on board, yes.</p> <p>14 Q. Was any of that alcohol consumed during your</p> <p>15 voyage?</p> <p>16 A. No.</p> <p>17 Q. What forms of emergency communications did the</p> <p>18 vessel have?</p> <p>19 A. Iridium satellite phone.</p> <p>20 Q. Did the vessel have batteries aboard?</p> <p>21 A. Yes.</p> <p>22 Q. How did you keep them charged during the voyage?</p> <p>23 A. With a generator.</p> <p>24 Q. Did you use the generator during the voyage?</p>
<p style="text-align: right;">Page 22</p> <p>1 A. Oh, I can't remember now, but I had reported</p> <p>2 that.</p> <p>3 I filled up the tanks fully and I think -- I</p> <p>4 can't remember exactly.</p> <p>5 Q. Can you give me a ballpark figure to I suppose</p> <p>6 the closest hundred gallons how much fuel you had</p> <p>7 on board?</p> <p>8 A. I think I had 200; maybe 200 gallons.</p> <p>9 Q. Did you have any charts on board?</p> <p>10 A. Yes.</p> <p>11 Q. What charts did you have on board?</p> <p>12 A. Leeward and Windward Islands and Aruba and -- ABC</p> <p>13 islands.</p> <p>14 Q. Did you physically plot your projected course on</p> <p>15 these paper charts before departing?</p> <p>16 A. No.</p> <p>17 Q. Did you have a Nautical Almanac on board?</p> <p>18 A. What do you mean?</p> <p>19 Q. I don't know myself. I've simply heard that</p> <p>20 there was a reference volume called a</p> <p>21 Nautical Almanac.</p> <p>22 If you know what that is, did you have one on</p> <p>23 board?</p> <p>24 A. No.</p>	<p style="text-align: right;">Page 24</p> <p>1 A. Yes.</p> <p>2 Q. How many GPS devices did your vessel have aboard?</p> <p>3 A. Two working; one not working.</p> <p>4 Q. Can you tell me the make and model of those two</p> <p>5 functioning GPSs?</p> <p>6 A. Not model but make. Raymarine, and I think it</p> <p>7 was -- I can't remember. This is a year and a</p> <p>8 half ago now.</p> <p>9 But I know the Garmin was my main one.</p> <p>10 That's the one that was on the starboard steering</p> <p>11 station.</p> <p>12 Q. Did either of these have electronic charts stored</p> <p>13 on them?</p> <p>14 A. Yeah.</p> <p>15 Q. Did they have charts for the entire</p> <p>16 Caribbean Sea?</p> <p>17 A. Yes.</p> <p>18 Q. Were they fully updated?</p> <p>19 A. Don't know.</p> <p>20 Q. Was your vessel equipped with radar?</p> <p>21 A. Yes.</p> <p>22 Q. For what purpose was the radar used? Navigation</p> <p>23 or locating other vessels?</p> <p>24 A. Both.</p>

Page 25

1 **Q. Am I remembering correctly that your vessel**
 2 **departed Aruba on the morning of December 14th,**
 3 **2019?**

4 A. No.

5 **Q. What time did it depart on December 14th, 2019?**

6 A. Early evening. Around 5:00 o'clock. That's when
 7 we cleared out with customs in Barcadera.

8 **Q. So your vessel departed Aruba at about 5:00**
 9 **o'clock in the evening; correct?**

10 A. Somewhere around there, yes.

11 **Q. Who was aboard the vessel?**

12 A. I was on board and Ron.

13 **Q. Can you tell me what time you cleared the port?**

14 A. Around 5:00 o'clock. 5:00 -- could be between
 15 5:00 and 6:00.

16 **Q. At 6:00 o'clock in the evening on December 14th,**
 17 **what was your vessel's course?**

18 A. If it came out of there, we would have probably
 19 gone east.

20 If we were out of the -- out of the
 21 immigration dock. You round the corner there;
 22 you go east.

23 **Q. Do you remember the exact course in degrees?**

24 A. No.

Page 27

1 **Q. Can you tell me what the sea state was between**
 2 **6:00 and 6:30 on the 14th?**

3 A. 4, 6 feet, something like that.

4 **Q. Can you repeat that? Did you say 460?**

5 A. 4 to 6 feet.

6 **Q. Splendid. Thank you very much for clearing that**
 7 **up.**

8 Can you tell me how tall the waves or swells
 9 were between 6:00 and 6:30?

10 A. I just said that.

11 **Q. Can you give me -- that number, 4 to 6, is that**
 12 **the number -- is that the feet of the swells?**

13 A. Roughly.

14 **Q. How long between each wave or swell?**

15 A. Say again.

16 **Q. Can you tell me how long between each wave or**
 17 **swell?**

18 A. No, I can't.

19 **Q. Can you tell me what the direction of the wave or**
 20 **swells were?**

21 A. Not exactly, but westerly.

22 **Q. Just to confirm, that means coming from the east**
 23 **and heading west?**

24 A. Correct.

Page 26

1 **Q. Did your vessel maintain that course for the next**
 2 **30 minutes?**

3 A. Yes.

4 **Q. What was your vessel's speed at 6:00 o'clock in**
 5 **the evening on the 14th?**

6 A. I don't know.

7 **Q. Do you know if the vessel maintained a constant**
 8 **speed for the next 30 minutes?**

9 A. Yeah.

10 **Q. Do you know what the speed of the wind was at**
 11 **6:00 o'clock on the 14th?**

12 A. I don't know exactly the time that you're
 13 referring to, 6:00 o'clock; I don't know the time
 14 exactly, but it was -- the approximate wind was
 15 easterly, northeasterly, or something like that
 16 around -- because we were close to land; so it
 17 changes a little bit too, but it was maybe 12, 14
 18 knots or something like that.

19 **Q. Did the wind continue to blow at that speed for**
 20 **the next 30 minutes?**

21 A. Yeah.

22 **Q. Can you tell me what the gusting speed of the**
 23 **wind was from 6:00 to 6:30 on the 14th?**

24 A. I don't know.

Page 28

1 **Q. Can you tell me the direction of the current from**
 2 **6:00 to 6:30 on the 14th?**

3 A. No, I cannot.

4 **Q. Did the current -- was there a current from 6:00**
 5 **to 6:30 on the 14th?**

6 A. Yes.

7 **Q. Do you know if it stayed the same from 6:00 to**
 8 **6:30 on the 14th?**

9 A. No.

10 **Q. Did you or anyone else make any entry in the**
 11 **vessel's logbook between 6:00 and 6:30 on the**
 12 **14th?**

13 A. No.

14 **Q. Were the vessel's sails up between 6:00 and 6:30**
 15 **on the 14th?**

16 A. Don't remember. I think I motored, but I could
 17 have sail up too.

18 **Q. Do you know how much leeway you were making**
 19 **between 6:00 and 6:30 on the 14th?**

20 A. What do you mean?

21 **Q. Well, as I understand, being a landlubber, that**
 22 **whatever course one sets, either by sail or by**
 23 **engine, the vessel is also pushed by the current.**

24 Do you know if there was -- if you were

Page 29

- 1 pushed off your course at all by the current
2 between 6:00 and 6:30?
3 A. I don't know.
4 Q. Can you tell me what the RPM was of the engine
5 between 6:00 and 6:30?
6 A. No, I cannot.
7 Q. Can you remind me what you said the speed of your
8 vessel was from 6:00 to 6:30?
9 A. I don't know.
10 Q. Okay. Who was at the helm from 6:00 to 6:30?
11 A. Autopilot and me.
12 Q. Who was navigating the vessel from 6:00 to 6:30?
13 A. Me.
14 Q. Who was acting as lookout from 6:00 to 6:30?
15 A. Me and Ron.
16 Q. Where was Ron between 6:00 and 6:30?
17 A. I don't know. On board.
18 Q. Was he seasick between 6:00 and 6:30?
19 A. No.
20 Q. Did you or Ron consume any food or drink between
21 6:00 and 6:30?
22 A. Don't remember.
23 Q. Was the vessel's radar on?
24 A. Yes.

Page 31

- 1 goes maybe a few degrees here and then a few
2 degrees back.
3 So easterly direction.
4 Q. Do you remember what the vessel's speed was
5 between 6:30 and 7:00?
6 A. No.
7 Q. Do you remember what the direction of the wind
8 was between 6:30 and 7:00?
9 A. Refer to 6:00 and 6:30.
10 Q. Can you repeat what it was, please.
11 A. Whatever I said. Easterly. Wind was easterly.
12 Q. Can you repeat for me what easterly means.
13 A. The wind comes from east.
14 Q. And then blows to the west?
15 A. That would be a logical answer, yes.
16 Q. Do you remember the average speed of the wind
17 from 6:30 to 7:00?
18 A. No.
19 Q. Do you remember what the gusting speed of the
20 wind was from 6:30 to 7:00?
21 A. No.
22 Q. Do you remember the height of the waves or the
23 swells from 6:30 to 7:00?
24 A. No.

Page 30

- 1 Q. Was the vessel's VHF radio functioning?
2 A. Yes, it was. It was when we left, yes.
3 Q. Were the GPS units functioning?
4 A. Yes.
5 Q. Were you using them to track or record the voyage
6 between 6:00 and 6:30?
7 A. Yes.
8 Q. Between 6:00 and 6:30, do you know what the
9 closest safe port was?
10 A. Don't know the name, but we were still -- we
11 still had Aruba on the port side.
12 Q. Did you make any contact with the shore between
13 6:00 and 6:30?
14 A. No.
15 Q. Between 6:30 and 7:00, what was your vessel's
16 course?
17 A. Probably the same as between 6:00 and 6:30.
18 Q. Can you say what that was, please. Can you
19 repeat it.
20 A. Easterly somewhat. I don't know exactly, but
21 easterly.
22 Q. So you can't give a degrees on a compass; is that
23 correct?
24 A. It varies because there's an autopilot. So it

Page 32

- 1 Q. Was it different than the height of the swells
2 from 6:00 to 6:30?
3 A. No, it was not different, no.
4 Q. Do you remember the direction of the waves or
5 swells?
6 A. Same as from 6:30 -- 6:00 to 6:30. Westerly.
7 Q. What was the direction of the current from 6:30
8 to 7:00?
9 A. I don't know.
10 Q. Do you remember the speed of the current from
11 6:30 to 7:00?
12 A. I don't know.
13 Q. Did you make any entry in the vessel's log from
14 6:30 to 7:00?
15 A. No.
16 Q. Were the vessel's sails ever up between 6:30 and
17 7:00?
18 A. Don't remember.
19 Q. Do you remember if you were making any leeway
20 between 6:30 and 7:00?
21 A. Now we're back to leeway. Do you mean speed?
22 Q. Speed, but other than the course you'd set for
23 the vessel.
24 Was the current pushing the vessel in any

Page 33

1 direction other than the direction in which the
2 vessel was sailing?

3 MS. NIEMEYER: I'm going to object to this
4 question because you're defining something that
5 isn't leeway, but the question is about leeway.

6 MR. GOLDMAN: Okay.

7 BY MR. GOLDMAN:

8 **Q. What is the definition of leeway?**

9 I should rephrase that and make clear that
10 I'm asking Mr. Andersson.

11 Mr. Andersson, what is leeway?

12 A. It depends on who's asking.

13 **Q. I'm asking.**

14 A. You say -- leeway means to me maybe something
15 different to you.

16 **Q. Well, what does it mean to you then?**

17 A. But lee- -- what you're referring to here is if
18 the -- the boat made changes in the course due to
19 the current.

20 Is that the question?

21 **Q. Yes, it is.**

22 A. Well, that would be a good question to ask.

23 So I can say that the autopilot will
24 automatically adjust when it goes out of course

Page 35

1 A. No.

2 **Q. Did you or Ron consume any food or drink between
3 6:30 and 7:00?**

4 A. Don't remember.

5 **Q. Was the vessel's radar on between 6:30 and
6 7:00?**

7 A. Yes.

8 **Q. Was the vessel's VHF radio functioning between
9 6:30 and 7:00?**

10 A. Yes.

11 **Q. Were the vessel's GPS units functioning between
12 6:30 and 7:00?**

13 A. Yes.

14 **Q. Were you using either of the vessel's GPS units
15 to track or record your voyage between 6:30 and
16 7:00?**

17 A. Yes.

18 **Q. Do you remember what the closest safe port was
19 between 6:30 and 7:00?**

20 A. No, but I could still see land on port side.

21 **Q. Do you know how far you were from land between
22 6:30 and 7:00?**

23 A. I could guess a couple of nautical miles to
24 guess.

Page 34

1 to the course that it's set to go.

2 So it will vary maybe 5 degrees, maybe 8
3 degrees, and in bad cases maybe more; I don't
4 know.

5 **Q. Were the vessel's engines in use between 6:30 and
6 7:00?**

7 A. Yes.

8 **Q. Remind me, how many engines did your vessel have?**

9 A. It did have two.

10 **Q. Were both engines in use?**

11 A. Yes.

12 **Q. Do you remember the RPMs of the engines at that
13 time --**

14 A. No.

15 **Q. -- between 6:30 and 7:00?**

16 A. No. sorry.

17 **Q. Who was at the helm between 6:30 and 7:00?**

18 A. I was.

19 **Q. Who was navigating the vessel between 6:30 and
20 7:00?**

21 A. I was.

22 **Q. Who was acting as lookout between 6:30 and 7:00?**

23 A. I was; then Ron.

24 **Q. Was Ron seasick between 6:30 and 7:00?**

Page 36

1 **Q. Did you make any contact with the shore between
2 6:30 and 7:00?**

3 A. No.

4 **Q. Did you do anything to record the vessel's
5 position between 6:30 and 7:00?**

6 A. No.

7 **Q. Was -- the autopilot was in use between 6:30 and
8 7:00; correct?**

9 A. Yes.

10 **Q. Was it ever not in use between 6:30 and 7:00?**

11 A. I don't remember, but I would say no. It
12 would -- nor would you expect it to.

13 **Q. Between 7:00 and 7:30 on the 14th, what was your
14 vessel's course?**

15 A. What time was it now?

16 **Q. Between 7:00 and 7:30 on the 14th.**

17 A. Same as before. So easterly.

18 **Q. What was the vessel's speed from 7:00 to 7:30?**

19 A. Don't know.

20 **Q. Was it ever as great as 10 knots?**

21 A. No.

22 **Q. Was it ever as great as 5 knots?**

23 A. I don't know.

24 **Q. But you're certain it was less than 10 knots?**

<p style="text-align: right;">Page 37</p> <p>1 A. Yes.</p> <p>2 Q. What was the direction of wind from 7:00 to 7:30?</p> <p>3 A. Easterly.</p> <p>4 Q. Do you remember the average speed of the wind</p> <p>5 from 7:00 to 7:30?</p> <p>6 A. No.</p> <p>7 Q. Do you ever -- do you remember the gusting speed</p> <p>8 of the wind between 7:00 and 7:30?</p> <p>9 A. No.</p> <p>10 Q. Were there any waves or swells between 7:00 and</p> <p>11 7:30?</p> <p>12 A. Say that again.</p> <p>13 Q. How tall were the waves or swells between 7:00</p> <p>14 and 7:30?</p> <p>15 A. That's not what you asked.</p> <p>16 Q. It is. I'm asking a different question.</p> <p>17 A. Okay.</p> <p>18 Q. Let me rephrase it just to make it perfectly</p> <p>19 clear.</p> <p>20 Were there any swells and, if there were, how</p> <p>21 high were they between 7:00 and 7:30?</p> <p>22 A. Same.</p> <p>23 Q. Do you remember how long between each wave or</p> <p>24 swell?</p>	<p style="text-align: right;">Page 39</p> <p>1 A. I was.</p> <p>2 Q. Were you always at the helm between 7:00 and</p> <p>3 7:30?</p> <p>4 A. Yes.</p> <p>5 MS. NIEMEYER: Objection to form. It's not</p> <p>6 clear.</p> <p>7 BY MR. GOLDMAN:</p> <p>8 Q. Was anyone else at the helm between 7:00 and</p> <p>9 7:30? Like Ron?</p> <p>10 A. No.</p> <p>11 Q. Who was navigating the vessel between 7:00 and</p> <p>12 7:30?</p> <p>13 A. I was.</p> <p>14 Q. Was Ron ever navigating the vessel between 7:00</p> <p>15 and 7:30?</p> <p>16 A. No.</p> <p>17 MS. NIEMEYER: I'm going to intervene.</p> <p>18 I objected to form, and the reason I did is</p> <p>19 because these questions are not clear as to the</p> <p>20 date.</p> <p>21 We had many times that the vessel passed</p> <p>22 through the hours of 7:00 and 7:30, both a.m. and</p> <p>23 p.m.; and just to be clear, the transcript, if it</p> <p>24 was used in a -- in a snippet, it would not be</p>
<p style="text-align: right;">Page 38</p> <p>1 A. No.</p> <p>2 Q. Do you remember the direction of the waves or</p> <p>3 swells?</p> <p>4 A. Westerly.</p> <p>5 Q. Do you remember the direction of the current</p> <p>6 between 7:00 and 7:30?</p> <p>7 A. No.</p> <p>8 Q. Do you remember the speed of the current between</p> <p>9 7:00 and 7:30?</p> <p>10 A. No.</p> <p>11 Q. Did you make any entry in the vessel's logbook</p> <p>12 between 7:00 and 7:30?</p> <p>13 A. No.</p> <p>14 Q. Were the vessel's sails up between 7:00 and 7:30?</p> <p>15 A. Don't remember.</p> <p>16 Q. Were the vessel's engines in use between 7:00 and</p> <p>17 7:30?</p> <p>18 A. Yes.</p> <p>19 Q. Both of them?</p> <p>20 A. Yes.</p> <p>21 Q. What was the RPM of the engine between 7:00 and</p> <p>22 7:30?</p> <p>23 A. I don't remember.</p> <p>24 Q. Who was at the helm between 7:00 and 7:30?</p>	<p style="text-align: right;">Page 40</p> <p>1 clear what date we're talking about.</p> <p>2 I just want to make sure that that's clear.</p> <p>3 MR. GOLDMAN: That's clear, Michelle.</p> <p>4 And let me clarify, and I'll ask</p> <p>5 Mr. Andersson to go back if my clarification</p> <p>6 changes any of his answers.</p> <p>7 BY MR. GOLDMAN:</p> <p>8 Q. Since the beginning, I've been going through</p> <p>9 times on the 14th, and I'm -- I have stopped</p> <p>10 saying the 14th in order to try to make this go a</p> <p>11 little quicker. I will specify as soon as I get</p> <p>12 to the 15th.</p> <p>13 So I'll ask you, Mr. Andersson, for any of</p> <p>14 your answers that we've given since 17:00 on the</p> <p>15 14th, have you been giving any answers relating</p> <p>16 to any other date besides the 14th?</p> <p>17 A. No.</p> <p>18 MR. GOLDMAN: Okay. I will be clear when we</p> <p>19 get to the 15th and, Michelle, if I'm not clear</p> <p>20 at that point, please jump in and say so; and I</p> <p>21 will of course make sure that we're clear.</p> <p>22 MS. NIEMEYER: Not a problem. I just wanted</p> <p>23 to make sure that we have a clear record because</p> <p>24 I can see this becoming a problem on a very large</p>

<p style="text-align: right;">Page 41</p> <p>1 transcript.</p> <p>2 MR. GOLDMAN: You are exactly right,</p> <p>3 Michelle. Thank you for clarifying.</p> <p>4 BY MR. GOLDMAN:</p> <p>5 Q. Who was acting as lookout between 7:00 and 7:30</p> <p>6 on the 14th?</p> <p>7 A. Both.</p> <p>8 Q. Was Ron seasick between 7:00 and 7:30?</p> <p>9 A. No.</p> <p>10 Q. Did you or Ron consume any food or drink between</p> <p>11 7:00 and 7:30?</p> <p>12 A. Don't remember.</p> <p>13 Q. Was the vessel's radar on between 7:00 --</p> <p>14 A. Yes.</p> <p>15 Q. -- and 7:30?</p> <p>16 A. Sorry. Yes.</p> <p>17 Q. Was the vessel's VHF radio functioning between</p> <p>18 7:00 and 7:30?</p> <p>19 A. Yes.</p> <p>20 Q. Were the two GPS units functioning at that time?</p> <p>21 A. Yes.</p> <p>22 Q. Were you using them to track or record the voyage</p> <p>23 at that time?</p> <p>24 A. Yes.</p>	<p style="text-align: right;">Page 43</p> <p>1 between 7:30 and 8:00?</p> <p>2 A. No.</p> <p>3 Q. Do you remember the height of the waves or the</p> <p>4 swells between 7:30 and 8:00?</p> <p>5 A. Don't remember, but I assume it was the same as</p> <p>6 the earlier one.</p> <p>7 Q. Do you remember how long between each wave or</p> <p>8 swell between 7:30 and 8:00?</p> <p>9 A. No.</p> <p>10 Q. Do you remember the direction of the current</p> <p>11 between 7:30 and 8:00?</p> <p>12 A. No.</p> <p>13 Q. Do you remember the speed of the current between</p> <p>14 7:30 and 8:00?</p> <p>15 A. No.</p> <p>16 Q. Did you make any entry in the vessel's logbook</p> <p>17 between 7:30 and 8:00?</p> <p>18 A. No.</p> <p>19 Q. Were the vessel's sails up at all between 7:30</p> <p>20 and 8:00?</p> <p>21 A. I don't remember.</p> <p>22 Q. Were the vessel's engines in use between 7:30 and</p> <p>23 8:00?</p> <p>24 A. Yes.</p>
<p style="text-align: right;">Page 42</p> <p>1 Q. Do you remember what the closest safe port was?</p> <p>2 A. No. Aruba to port side.</p> <p>3 Q. Did you make any contact with the shore between</p> <p>4 7:00 and 7:30?</p> <p>5 A. No.</p> <p>6 Q. Did you do anything to record the vessel's</p> <p>7 position between 7:00 and 7:30 on the 14th?</p> <p>8 A. Nothing in addition to the GPS.</p> <p>9 Q. Was the vessel's autopilot in use the entire time</p> <p>10 between 7:00 and 7:30?</p> <p>11 A. Yes.</p> <p>12 Q. Between 7:30 and 8:00 p.m. on the 14th, what was</p> <p>13 the vessel's course?</p> <p>14 A. Easterly.</p> <p>15 Q. Do you remember what the vessel's speed was</p> <p>16 between 7:30 and 8:00?</p> <p>17 A. No.</p> <p>18 Q. Do you remember the direction of the wind between</p> <p>19 7:30 and 8:00?</p> <p>20 A. East.</p> <p>21 Q. Do you remember the average speed of the wind</p> <p>22 between 7:30 and 8:00?</p> <p>23 A. No.</p> <p>24 Q. Do you remember the gusting speed of the wind</p>	<p style="text-align: right;">Page 44</p> <p>1 Q. Both engines?</p> <p>2 A. Yes.</p> <p>3 Q. Do you remember the RPM of the engine between</p> <p>4 7:30 and 8:00?</p> <p>5 A. No.</p> <p>6 Q. Who was at the helm between 7:30 and 8:00?</p> <p>7 A. I was.</p> <p>8 Q. Was anyone else ever at the helm between 7:30 and</p> <p>9 8:00?</p> <p>10 A. No.</p> <p>11 Q. Who was navigating the vessel between 7:30 and</p> <p>12 8:00?</p> <p>13 A. I was.</p> <p>14 Q. Was anyone else navigating the vessel from 7:30</p> <p>15 to 8:00?</p> <p>16 A. No.</p> <p>17 Q. Who was acting as lookout between 7:30 and</p> <p>18 8:00?</p> <p>19 A. I was.</p> <p>20 Q. Was --</p> <p>21 A. And Ron.</p> <p>22 Q. Thank you. Was Ron seasick between 7:30 and</p> <p>23 8:00?</p> <p>24 A. No.</p>

<p style="text-align: right;">Page 45</p> <p>1 Q. Did you or Ron consume any food or drinks between 2 7:30 and 8:00? 3 A. Don't remember. 4 Q. Was the vessel's radar on between 7:30 and 8:00? 5 A. Yes. 6 Q. Was the vessel's VHF radio functioning between 7 7:30 and 8:00? 8 A. Yes. 9 Q. Were the two functioning GPS units still 10 functioning between 7:30 and 8:00? 11 A. Yes. 12 Q. Were you using either of those GPS units to track 13 or record the voyage between 7:30 and 8:00? 14 A. The Garmin does it. 15 Q. The Garmin? 16 A. Does it, yes. Records my -- where I'm coming 17 from. It records the trip. 18 Q. Do you still have the Garmin GPS? 19 A. No. 20 Q. Do you know who does? 21 A. Actually, no. 22 Q. Between 7:30 and 8:00, do you know what the 23 closest safe port was? 24 A. No. Aruba to port side.</p>	<p style="text-align: right;">Page 47</p> <p>1 Q. I understand. Thank you. I'm starting to learn 2 these terms. I appreciate your clarification. 3 What was the average speed of the wind? 4 A. Don't remember. 5 Q. What was the gusting speed of the wind between 6 8:00 and 8:30? 7 A. Don't remember. 8 Q. Were there any waves or swells between 8:00 and 9 8:30? 10 A. Yes. 11 Q. How long between each wave or swell between 8:00 12 and 8:30? 13 A. I don't know. 14 Q. What was the direction of the waves or swells 15 between 8:00 and 8:30? 16 A. Westerly. 17 Q. What was the direction of the current? 18 A. I don't know. 19 Q. What was the speed of the current? 20 A. I don't know. 21 Q. Did you make any entry in the vessel's logbook? 22 A. Not in addition to the GPS. 23 Q. Were the vessel's sails ever up between 8:00 and 24 8:30?</p>
<p style="text-align: right;">Page 46</p> <p>1 Q. Do you know how far away it was between 7:30 and 2 8:00? 3 A. Maybe couple of nautical miles. Maybe. 4 Q. Less than 10 nautical miles? 5 A. Oh, yes, yes, yes. 6 Q. Did you make any contact with the shore between 7 7:30 and 8:00? 8 A. No. 9 Q. Did you do anything to record the vessel's 10 position between 7:30 and 8:00? 11 A. Nothing in addition to the GPS. 12 Q. Was the vessel's autopilot in use the entire time 13 between 7:30 and 8:00? 14 A. Yes. 15 Q. Between 8:00 and 8:30 on December 14th, 2019, 16 what was the vessel's course? 17 A. Say that again. 18 Q. Between 8:00 and 8:30 p.m. on December 14th, 19 2019, what was the vessel's course? 20 A. Easterly. 21 Q. What was the vessel's speed? 22 A. Don't know. 23 Q. What was the direction of the wind? 24 A. Easterly. It came from the east, that is.</p>	<p style="text-align: right;">Page 48</p> <p>1 A. Don't remember. 2 Q. Were the vessel's engines in use between 8:00 and 3 8:30? 4 A. Yes. 5 Q. Both engines? 6 A. Yes. 7 Q. Do you remember the RPM for the engines between 8 8:00 and 8:30? 9 A. No. 10 Q. Who was at the helm between 8:00 and 8:30? 11 A. I was. 12 Q. Was Ron ever at the helm between 8:00 and 8:30? 13 A. No. 14 Q. Who was navigating the vessel between 8:00 and 15 8:30? 16 A. I was. 17 Q. Was Ron ever navigating the vessel between 8:00 18 and 8:30? 19 A. No. 20 Q. Who was acting as lookout between 8:00 and 8:30? 21 A. Both. 22 Q. Was Ron seasick between 8:00 and 8:30? 23 A. No. 24 Q. Did you or Ron consume any food or drink between</p>

<p style="text-align: right;">Page 49</p> <p>1 8:00 and 8:30?</p> <p>2 A. I don't remember.</p> <p>3 Q. Was the vessel's radar on between 8:00 and 8:30?</p> <p>4 A. Yes.</p> <p>5 Q. Was the vessel's VHF radio functioning between</p> <p>6 8:00 and 8:30?</p> <p>7 A. Yes.</p> <p>8 Q. Were the vessel's GPS units functioning between</p> <p>9 8:00 and 8:30?</p> <p>10 A. Yes.</p> <p>11 Q. Was the Garmin GPS recording your track between</p> <p>12 8:00 and 8:30?</p> <p>13 A. Yes.</p> <p>14 Q. Do you still have any of the GPS units that were</p> <p>15 aboard the vessel?</p> <p>16 A. No.</p> <p>17 Q. Do you know who has them?</p> <p>18 A. No.</p> <p>19 Q. What was the closest safe port between 8:00 and</p> <p>20 8:30?</p> <p>21 A. I don't know. Aruba on port side. Couple of</p> <p>22 miles.</p> <p>23 Q. Was it still less than 10?</p> <p>24 A. Speed?</p>	<p style="text-align: right;">Page 51</p> <p>1 A. No.</p> <p>2 Q. Did you do anything to record the vessel's</p> <p>3 position between 8:00 and 8:30?</p> <p>4 A. Not in addition to GPS.</p> <p>5 Q. Was the vessel's autopilot in use the entire time</p> <p>6 between 8:00 and 8:30?</p> <p>7 A. Yes.</p> <p>8 Q. Between 8:30 and 9:00 on December 14th, 2019,</p> <p>9 what was the vessel's course?</p> <p>10 A. Easterly.</p> <p>11 Q. What was the vessel's speed between 8:30 and 9:00</p> <p>12 on the 14th?</p> <p>13 A. I'm not sure.</p> <p>14 Q. Do you remember the direction of the wind between</p> <p>15 8:30 and 9:00?</p> <p>16 A. It came from the east.</p> <p>17 Q. Do you remember the average speed of the wind</p> <p>18 between 8:30 and 9:00?</p> <p>19 A. No.</p> <p>20 Q. Do you remember the gusting speed of the wind</p> <p>21 between 8:30 and 9:00?</p> <p>22 A. No.</p> <p>23 Q. Do you remember how tall the waves and the swells</p> <p>24 were between 8:30 and 9:00?</p>
<p style="text-align: right;">Page 50</p> <p>1 Q. Was Aruba still less than 10 miles?</p> <p>2 A. I just said -- sorry. I just said that. Around</p> <p>3 two miles.</p> <p>4 Q. Thank you. I misunderstood.</p> <p>5 MR. GOLDMAN: Michelle, did you want to ask</p> <p>6 something to clarify?</p> <p>7 MS. NIEMEYER: Mike, I'd like to just</p> <p>8 instruct my client to take his time and to listen</p> <p>9 before he answers questions.</p> <p>10 THE WITNESS: Okay.</p> <p>11 MR. GOLDMAN: Excellent.</p> <p>12 MS. NIEMEYER: Okay. And for clarity, can we</p> <p>13 have that last question read and assure that</p> <p>14 Mr. Andersson was paying attention and</p> <p>15 understood.</p> <p>16 MR. GOLDMAN: I will repeat it, of course.</p> <p>17 BY MR. GOLDMAN:</p> <p>18 Q. Do you know how far away the closest safe port</p> <p>19 was?</p> <p>20 A. Not exactly.</p> <p>21 Q. Was it less than 10 nautical miles?</p> <p>22 A. Yes.</p> <p>23 Q. Did you make any contact with the shore between</p> <p>24 8:00 and 8:30?</p>	<p style="text-align: right;">Page 52</p> <p>1 A. Same as before.</p> <p>2 Q. Do you remember how long between each wave or</p> <p>3 swell between 8:30 and 9:00?</p> <p>4 A. No.</p> <p>5 Q. Do you remember the direction of the waves or</p> <p>6 swells between 8:30 and 9:00?</p> <p>7 A. Westerly.</p> <p>8 Q. Do you remember the direction of the current</p> <p>9 between 8:30 and 9:00?</p> <p>10 A. No.</p> <p>11 Q. Do you remember the speed of the current between</p> <p>12 8:30 and 9:00?</p> <p>13 A. No.</p> <p>14 Q. Were the vessel's sails up between 8:30 and 9:00?</p> <p>15 A. I don't remember.</p> <p>16 Q. Do you remember your point of sail between 8:30</p> <p>17 and 9:00?</p> <p>18 A. No.</p> <p>19 Q. Were both vessel's engines in use between 8:30</p> <p>20 and 9:00?</p> <p>21 A. Yes.</p> <p>22 Q. What was the RPM of the engines between 8:30 and</p> <p>23 9:00?</p> <p>24 A. Don't remember.</p>

Page 53

- 1 **Q. Were you at the helm between 8:30 and 9:00?**
 2 A. Yes.
 3 **Q. Was Ron ever at the helm between 8:30 and 9:00?**
 4 A. No.
 5 **Q. Were you navigating the vessel between 8:30 and**
 6 **9:00?**
 7 A. Yes.
 8 **Q. Was Ron ever navigating the vessel between 8:30**
 9 **and 9:00?**
 10 A. No.
 11 **Q. Who was acting as lookout between 8:30 and 9:00?**
 12 A. Both.
 13 **Q. Was Ron seasick between 8:30 and 9:00?**
 14 A. No.
 15 **Q. Did you or Ron consume any food or drink between**
 16 **8:30 or 9:00?**
 17 A. Don't remember.
 18 **Q. Was the vessel's radar on between 8:30 and 9:00?**
 19 A. Yes.
 20 **Q. Was the vessel's VHF radio functioning between**
 21 **8:30 and 9:00?**
 22 A. Yes.
 23 **Q. Were the two GPS units still functioning between**
 24 **8:30 and 9:00?**

Page 54

- 1 A. Yes.
 2 **Q. Do you remember what the closest safe port was**
 3 **between 8:30 and 9:00?**
 4 A. No, I don't know.
 5 **Q. Do you remember how -- was it no longer Aruba?**
 6 A. Still Aruba.
 7 **Q. Was -- it was less than 10 miles away?**
 8 A. Yes.
 9 **Q. Did you make any contact with the shore between**
 10 **10:00 -- excuse me, between 8:30 and 9:00?**
 11 A. No.
 12 **Q. Did you do anything to record the vessel's**
 13 **position between 8:30 and 9:00?**
 14 A. Not in addition to the Garmin GPS.
 15 **Q. Was the vessel's autopilot in use the entire time**
 16 **between 8:30 and 9:00?**
 17 A. Yes.
 18 MR. GOLDMAN: Michelle, we have been doing
 19 this for about an hour. You want to take a
 20 five-minute break?
 21 MS. NIEMEYER: Sure. Absolutely.
 22 MR. GOLDMAN: Great. I know this is tedious.
 23 All right. Break, five.
 24 (Recess was taken from 11:05 a.m. until 11:11 a.m.)

Page 55

- 1 BY MR. GOLDMAN:
 2 **Q. Okay. Mr. Andersson, between 9:30 and 10:00 p.m.**
 3 **on December 14th, 2019, what was your vessel's**
 4 **course?**
 5 A. What was it? 9:30 and 10:00?
 6 **Q. Between 9:30 and 10:00 on the 14th.**
 7 A. I'm not sure, because we might be around the
 8 southeastern tip of Aruba.
 9 I'm not sure.
 10 **Q. What was your vessel's speed between 9:30 and**
 11 **10:00 on the 14th?**
 12 A. I'm not sure.
 13 **Q. What was the direction of the wind between 9:30**
 14 **and 10:00 on the 14th?**
 15 A. I think easterly still.
 16 **Q. What was the average speed of the wind between**
 17 **9:30 and 10:00 on the 14th?**
 18 A. About the same.
 19 **Q. Can you repeat for me. Do you remember what that**
 20 **was in miles per hour?**
 21 A. Not in miles per hour, but I can do it in knots.
 22 It's maybe 12 to 14 knots I think it was
 23 roughly.
 24 I'm not sure.

Page 56

- 1 **Q. Was that the same speed it had been blowing since**
 2 **you left Aruba?**
 3 A. Yeah.
 4 **Q. Do you remember what the gusting speed of the**
 5 **wind --**
 6 A. No.
 7 **Q. -- was?**
 8 A. Sorry. No.
 9 **Q. Do you remember how tall the waves or the swells**
 10 **were between 9:30 and 10:00 on the 14th?**
 11 A. No.
 12 **Q. Do you remember how long between the waves or the**
 13 **swells between 9:30 and 10:00 on the 14th?**
 14 A. No.
 15 **Q. Do you remember the direction of the waves or the**
 16 **swells between 9:30 and 10:00 on the 14th?**
 17 A. Say that again.
 18 **Q. Do you remember the direction of the waves or the**
 19 **swells between 9:30 and 10:00 on the 14th?**
 20 A. No.
 21 **Q. Do you remember the direction of the current**
 22 **between 9:30 and 10:00 on the 14th?**
 23 A. No.
 24 **Q. Do you remember the speed of the current between**

Page 57

- 1 **9:30 and 10:00 on the 14th?**
 2 A. No.
 3 **Q. Did you make any entry in the vessel's logbook**
 4 **between 9:30 and 10:00 on the 14th?**
 5 A. Not in addition to the GPS.
 6 **Q. Were the vessel's sails ever in use between 9:30**
 7 **and 10:00 on the 14th?**
 8 A. I must say I don't know, because it depends on if
 9 we have rounded -- if we're close to rounding the
 10 southeastern corner.
 11 **Q. Had you by that time, by 10:00 o'clock on the**
 12 **14th, rounded the southeast corner of Aruba?**
 13 A. I don't remember.
 14 **Q. Do you remember what time you did round the**
 15 **southeast corner of Aruba?**
 16 A. I don't remember.
 17 **Q. Did you round the southeast corner before**
 18 **midnight on the 14th?**
 19 A. I think so.
 20 **Q. Did you round the southeast corner of Aruba**
 21 **before 6:00 a.m. on the 15th?**
 22 A. Oh, yeah, yeah, yeah.
 23 **Q. Were both vessel's engines in use between 9:30**
 24 **and 10:00 on the 14th?**

Page 58

- 1 A. Yeah.
 2 **Q. Do you remember the RPM of the engines between --**
 3 A. No.
 4 **Q. -- 9:30 and 10:00 on the 14th?**
 5 A. No.
 6 **Q. Were you at the helm between 9:30 and 10:00 on**
 7 **the 14th?**
 8 A. Can you clarify that.
 9 **Q. Please -- well, explain to me what needs**
 10 **clarification.**
 11 A. In my -- in my vocabulary, being at the helm,
 12 you're actually steering the vessel.
 13 In this case, the autopilot was always on.
 14 It was just that somebody was monitoring it in
 15 case something happened.
 16 **Q. If a person were steering the vessel themselves,**
 17 **where would they be on the vessel?**
 18 A. Either on port or starboard side.
 19 **Q. Were you on the -- were you in that position on**
 20 **the vessel between 9:30 and 10:00?**
 21 A. I don't remember.
 22 **Q. Was Ron ever at either of those positions --**
 23 A. I don't remember.
 24 **Q. -- between 9:30 and 10:00?**

Page 59

- 1 **Who was navigating the vessel between 9:30**
 2 **and 10:00?**
 3 A. Went by the GPS and radar and autopilot.
 4 **Q. Who was monitoring the GPS and the radar between**
 5 **9:30 and 10:00?**
 6 A. I was.
 7 **Q. Was Ron ever monitoring the GPS or the radar**
 8 **between 9:30 and 10:00?**
 9 A. Don't know.
 10 **Q. Who was acting as lookout between 9:30 and 10:00?**
 11 A. Both.
 12 **Q. Was Ron seasick between 9:30 and 10:00 on the**
 13 **14th?**
 14 A. No.
 15 **Q. Did you or Ron consume any food or drink between**
 16 **9:30 and 10:00 on the 14th?**
 17 A. Don't remember.
 18 **Q. Was the vessel's radar on between 9:30 and 10:00**
 19 **on the 14th?**
 20 A. Yes.
 21 **Q. Was the vessel's VHF radio functioning between**
 22 **9:30 and 10:00 on the 14th?**
 23 A. Yes.
 24 **Q. Were the vessel's two GPS units still functioning**

Page 60

- 1 **between 9:30 and 10:00 on the 14th?**
 2 A. Yes.
 3 **Q. Do you remember what the closest safe port was**
 4 **between 9:30 and 10:00 on the 14th?**
 5 A. No.
 6 **Q. Do you remember the distance from Aruba between**
 7 **9:30 and 10:00 on the 14th?**
 8 A. No.
 9 **Q. Did you make any contact with the shore between**
 10 **9:30 and 10:00 on the 14th?**
 11 A. No.
 12 **Q. Did you do anything to record the vessel's**
 13 **position between 9:30 and 10:00 on the 14th?**
 14 A. Not in addition to the GPS; Garmin.
 15 **Q. Do you recall the vessel's position between 9:30**
 16 **and 10:00 on the 14th?**
 17 A. No, I don't recall.
 18 **Q. Was the autopilot in use the entire time between**
 19 **9:30 and 10:00 on the 14th?**
 20 A. Yes.
 21 **Q. Between 10:00 and 10:30 on December 14th, 2019,**
 22 **what was the vessel's course?**
 23 A. Don't remember exactly.
 24 **Q. Was it the same course as between 9:30 and 10:00**

<p style="text-align: right;">Page 61</p> <p>1 on the 14th?</p> <p>2 A. I'm not sure. At some point there we changed</p> <p>3 course to about 55, 60 degrees; but I don't know</p> <p>4 what time that was.</p> <p>5 Q. Was it on the 14th that you changed course?</p> <p>6 A. Yes.</p> <p>7 Q. So at some point between 10:00 and midnight on</p> <p>8 the 14th you changed course?</p> <p>9 A. I can't answer exactly.</p> <p>10 Q. Did you change course before 6:00 a.m. on the</p> <p>11 15th?</p> <p>12 A. Yes.</p> <p>13 Q. What course did you change to?</p> <p>14 A. I think around 55, 60 degrees.</p> <p>15 Q. Did you change course before 3:00 a.m. on the</p> <p>16 15th?</p> <p>17 MS. NIEMEYER: Objection to form.</p> <p>18 Mr. Andersson already answered that it was</p> <p>19 before midnight, I believe.</p> <p>20 MR. GOLDMAN: He said -- he said the 14th at</p> <p>21 first; but then when I asked him if it was before</p> <p>22 midnight, he couldn't say.</p> <p>23 But let's let him answer. I'll ask again</p> <p>24 just to make sure that it's not you and I</p>	<p style="text-align: right;">Page 63</p> <p>1 the question as you're -- he's answering as</p> <p>2 you're asking it, but what you're asking is so</p> <p>3 limited in time that it doesn't really give us</p> <p>4 the time frame I think that you're looking for.</p> <p>5 MR. GOLDMAN: I understand.</p> <p>6 BY MR. GOLDMAN:</p> <p>7 Q. I'm going to go back to my half-hour increments</p> <p>8 in a moment, but I'm going to ask this question.</p> <p>9 What was the vessel's course at 6:00 in the</p> <p>10 morning on December 15th?</p> <p>11 A. I'm not sure, but I know it was around 55.</p> <p>12 Q. What was the vessel's course at 5:00 in the</p> <p>13 morning on December 15th?</p> <p>14 A. 55.</p> <p>15 Q. What was the vessel's course at 4:00 in the</p> <p>16 morning on December 15th?</p> <p>17 A. 55.</p> <p>18 Q. What was the vessel's course at 3:00 in the</p> <p>19 morning on December 15th?</p> <p>20 A. 55.</p> <p>21 Q. What was --</p> <p>22 A. Give or take.</p> <p>23 Q. Excuse me for speaking over you.</p> <p>24 What was the vessel's course at 2:00 in the</p>
<p style="text-align: right;">Page 62</p> <p>1 debating but it's him answering.</p> <p>2 MS. NIEMEYER: Of course. I just want to</p> <p>3 make sure we have a clear record.</p> <p>4 MR. GOLDMAN: Thank you. I appreciate it.</p> <p>5 BY MR. GOLDMAN:</p> <p>6 Q. Let me repeat my question just to make sure we're</p> <p>7 being clear.</p> <p>8 I'll do this backwards to see if we can try</p> <p>9 to establish the time at least somewhat more</p> <p>10 exactly.</p> <p>11 MS. NIEMEYER: I'm just going to intervene</p> <p>12 here and point out that the questions that you're</p> <p>13 asking come in half-hour increments, and you're</p> <p>14 asking for a very detailed knowledge of the</p> <p>15 timing of things happening; and the answer that</p> <p>16 Mr. Andersson gave, in my understanding, was that</p> <p>17 he couldn't answer exactly what happened during a</p> <p>18 half-hour increment.</p> <p>19 That may or may not -- I believe he also</p> <p>20 answered when you asked before midnight that it</p> <p>21 was before midnight.</p> <p>22 MR. GOLDMAN: All right. I will clarify.</p> <p>23 MS. NIEMEYER: I just -- I want to make sure.</p> <p>24 We may be dealing with -- Mr. Andersson is asking</p>	<p style="text-align: right;">Page 64</p> <p>1 morning on December 15th?</p> <p>2 A. 55-ish.</p> <p>3 Q. What was the vessel's course at 1:00 in the</p> <p>4 morning on December 15th?</p> <p>5 A. 55-ish.</p> <p>6 Q. What was the vessel's course at 12:00 a.m. on the</p> <p>7 15th?</p> <p>8 A. 55.</p> <p>9 Q. What was the vessel's course at 11:00 p.m. on the</p> <p>10 14th?</p> <p>11 A. I'm not sure.</p> <p>12 Q. Do I understand correctly at some time prior to</p> <p>13 midnight on the 14th-15th, you changed course to</p> <p>14 something between 55 and 60 degrees?</p> <p>15 A. Yes.</p> <p>16 Q. All right. Thank you.</p> <p>17 Just a moment, please. I have to confer with</p> <p>18 my assistant.</p> <p>19 (Pause in the proceedings.)</p> <p>20 BY MR. GOLDMAN:</p> <p>21 Q. Between 23:00 -- excuse me. Between 10:30 and</p> <p>22 11:00 p.m. on the 14th, what was your vessel's</p> <p>23 course?</p> <p>24 A. I'm not sure.</p>

<p style="text-align: right;">Page 65</p> <p>1 Q. During that same interval, what was your vessel's 2 speed? 3 A. I'm not sure. 4 Q. During that same interval, what was the direction 5 of the wind? 6 A. Easterly. 7 Q. During that same interval, what was the average 8 speed of the wind? 9 A. Don't know. 10 Q. During that same interval, what was the gusting 11 speed of the wind? 12 A. I don't know. 13 MR. GOLDMAN: Just to make sure, both 14 Mr. Andersson and Michelle, do you understand 15 what I mean by saying "during that same 16 interval"? 17 MS. NIEMEYER: 10:30 to 11:00 p.m. is my 18 understanding. 19 MR. GOLDMAN: Yes. 20 MS. NIEMEYER: Mr. Andersson, is that your 21 understanding? 22 THE WITNESS: Yes. 23 MR. GOLDMAN: Just trying to make this go 24 more smoothly.</p>	<p style="text-align: right;">Page 67</p> <p>1 A. Don't know. 2 Q. What was the speed of the current during that 3 same interval? 4 A. Don't know. 5 Q. Did you make any entry in the vessel's logbook 6 during that same interval? 7 A. Not in addition to the Garmin GPS. 8 Q. Were the vessel's sails up during that same 9 interval? 10 A. If we had rounded Aruba during that period, then 11 yes, definitely. 12 Q. Which sails were up during that period? 13 A. Headsail only. 14 MS. NIEMEYER: Objection to form. 15 Just for clarification, Mr. Andersson said if 16 he had rounded, and we've established that he's 17 not sure if he rounded. 18 BY MR. GOLDMAN: 19 Q. Do you remember what time you rounded Aruba? 20 A. No. 21 Q. Was it before midnight? 22 A. Yes. 23 Q. So then am I correct that sometime between 11:00 24 on the 14th and midnight you rounded Aruba?</p>
<p style="text-align: right;">Page 66</p> <p>1 I'll say the exact period and the date in my 2 first question in the series, and then I'll 3 continue to say during that same interval. 4 MS. NIEMEYER: Okay. 5 BY MR. GOLDMAN: 6 Q. If you're ever unsure, Mr. Andersson, please 7 don't hesitate to stop me and say so. 8 During that same interval, which is between 9 10:30 and 11:00 on December 14th, do you remember 10 the gusting speed of wind? 11 A. No. 12 Q. During that same interval, do you remember if 13 there were any waves or swells? 14 A. Yes, there were. 15 Q. How tall were the waves or swells? 16 A. Don't remember. 17 Q. Okay. Do you remember how long between each wave 18 or swell during that interval? 19 A. No. 20 Q. What was the direction of the waves or swells 21 during that same interval? 22 A. I'm not sure. 23 Q. What was the direction of the current during that 24 same interval?</p>	<p style="text-align: right;">Page 68</p> <p>1 A. I don't know. 2 MS. NIEMEYER: Objection to form. 3 Mr. Andersson, please give me a moment to 4 object if that's necessary. Thank you. 5 BY MR. GOLDMAN: 6 Q. All right. Obviously I misunderstood. 7 Did you round Aruba sometime between 11:00 on 8 the 14th and midnight? 9 A. Not sure. 10 Q. Did you round Aruba before 1:00 a.m. on the 15th? 11 A. Yes. 12 Q. At the time that you rounded Aruba, did you put 13 up any sails? 14 A. Yes. 15 Q. When you rounded Aruba, what course did you set? 16 A. 55 to 60. 17 Q. How far were you from Aruba? 18 A. I'm not sure. 19 Q. More than 10 miles? Nautical miles. 20 A. Not sure. 21 MS. NIEMEYER: Michael, those prior questions 22 when you said how far were you from Aruba, were 23 you referring to the time frame of 10:30 to 11:00 24 or when he rounded and put up his sails?</p>

Page 69

1 MR. GOLDMAN: Let me ask --
 2 MS. NIEMEYER: We don't have a clear time
 3 frame on that.
 4 BY MR. GOLDMAN:
 5 **Q. At the time that you rounded Aruba and put up**
 6 **some -- put up some sails, we'll establish which**
 7 **in a moment, do you remember how many miles you**
 8 **were from Aruba?**
 9 A. No.
 10 **Q. Was it more than 50 miles?**
 11 A. No.
 12 **Q. Was it more than 30 miles?**
 13 A. No.
 14 **Q. Was it between 20 and 30 miles?**
 15 A. I don't know.
 16 **Q. Was it less than 30 miles?**
 17 A. I don't know.
 18 **Q. But it was not more than 30 miles? That's what I**
 19 **believe you answered a moment ago.**
 20 A. I don't know.
 21 MR. GOLDMAN: Just one moment.
 22 (Pause in the proceedings.)
 23 BY MR. GOLDMAN:
 24 **Q. Were the vessel's engines in use between 10:30**

Page 71

1 **Do you remember the vessel's RPMs during that**
 2 **interval from 10:30 to 11:00 on the 14th?**
 3 A. No.
 4 MS. NIEMEYER: Objection to form on that.
 5 And, Mr. Andersson, please give me a moment
 6 to object.
 7 The vessel doesn't have RPMs, Mr. Goldman.
 8 MR. GOLDMAN: I understand.
 9 MS. NIEMEYER: We need clarity on that
 10 because we're making a written record here.
 11 BY MR. GOLDMAN:
 12 **Q. What was the RPM -- do you remember the RPM of**
 13 **the engines during that interval?**
 14 A. No.
 15 **Q. Who was at the helm during that interval?**
 16 A. Autopilot.
 17 **Q. Were you or Ron at the helm at all during that**
 18 **interval?**
 19 A. I was always in the vicinity.
 20 **Q. Was Ron in the vicinity?**
 21 A. Don't remember.
 22 **Q. Who was navigating the vessel during that**
 23 **interval?**
 24 A. Autopilot, GPS, radar.

Page 70

1 **and 11:00 on the 14th?**
 2 A. Yes. Can I clarify something?
 3 **Q. You can clarify when it's Michelle's turn. No,**
 4 **you know what, I'm going to be broad-minded about**
 5 **it.**
 6 **What would you like to clarify, sir?**
 7 A. I would like to clarify when you say distance
 8 when rounding Aruba at that particular time slot,
 9 because when you're rounding -- when I rounded
 10 it, I was closer; but if I've already rounded it
 11 at the time that you're referring to, 11:00
 12 o'clock or midnight, in there, I could have been
 13 30 miles away; but not easterly, because then I
 14 would have been in Curacao.
 15 **Q. Would it make more sense -- would you be able to**
 16 **give a better answer if I simply asked at each**
 17 **point how many nautical miles you were from**
 18 **Aruba?**
 19 A. No, it's -- it's difficult to say exactly. When
 20 you round it, you're not far away.
 21 **Q. All right.**
 22 A. From Aruba.
 23 **Q. Let me continue with my questions and see if we**
 24 **can find a better way to phrase this.**

Page 72

1 **Q. Who was acting as lookout during that interval?**
 2 A. I was.
 3 **Q. Where was Ron during that interval?**
 4 A. I don't remember.
 5 **Q. Was Ron sick -- seasick during that interval?**
 6 A. No.
 7 **Q. Did either of you consume any food or drink**
 8 **during that interval?**
 9 A. I don't remember.
 10 **Q. Was the vessel's radar on during that interval?**
 11 A. Yes.
 12 **Q. Was the vessel's VHF radio functioning during**
 13 **that interval?**
 14 A. Yes.
 15 **Q. Were the vessel's GPS units functioning during**
 16 **that interval?**
 17 A. Yes.
 18 **Q. Do you remember what the closest safe port was**
 19 **during that interval?**
 20 A. I -- it must have been Aruba still.
 21 **Q. Did you make any contact with the shore during**
 22 **that interval?**
 23 A. No.
 24 **Q. Do you recall how many miles you were from Aruba**

Page 73

1 at 10:30 on the 14th?

2 A. No.

3 **Q. Were you more than 20 miles from Aruba?**

4 MS. NIEMEYER: Objection to form.

5 Mr. Andersson, you can answer.

6 A. What was the question?

7 BY MR. GOLDMAN:

8 **Q. Were you more than 20 nautical miles from Aruba**
9 **at 10:30 on the 14th?**

10 A. I don't know.

11 **Q. Were you more than 30 nautical miles from Aruba**
12 **at 10:30 on the 14th?**

13 A. I don't know.

14 **Q. Did you make any contact with the shore between**
15 **10:30 and 11:00 on the 14th?**

16 MS. NIEMEYER: Objection. You've already
17 answered -- asked that question.

18 BY MR. GOLDMAN:

19 **Q. You can answer, Mr. Andersson.**

20 A. What was the question?

21 **Q. Did you make any contact with the shore between**
22 **10:30 and 11:00 on the 14th?**

23 A. No.

24 **Q. Was the autopilot in use the entire time between**

Page 75

1 Am I remembering that correctly?

2 MS. NIEMEYER: Mr. Goldman, the correct way
3 to do this would be to ask the court reporter
4 what the testimony was.

5 I am not going to answer a question about my
6 own recollection, and I don't believe it's
7 appropriate for you to use yours. We have
8 testimony on the record that we can refer to.

9 MR. GOLDMAN: Karen, can you please repeat
10 his testimony beginning with the interval of
11 10:30 to 11:00 p.m. on the 14th.

12 (The requested portion was read back by the
13 reporter.)

14 BY MR. GOLDMAN:

15 **Q. Mr. Andersson, when is the last time you can say**
16 **for certain that your vessel was on an easterly**
17 **course?**

18 A. I cannot say an exact time.

19 **Q. Can you repeat for me approximately what time did**
20 **your vessel change course to 55 or 60 degrees?**

21 A. I have a hard time committing to a certain time,
22 because I don't remember.

23 **Q. Were you on a course at 55 to 60 degrees at 1:00**
24 **in the morning on December 15th?**

Page 74

1 10:30 and 11:00 on the 14th?

2 A. Yes.

3 **Q. Between 11:00 and 11:30 p.m. on December 14th,**
4 **2019, what was your vessel's course?**

5 A. Around 55 I would -- I'm thinking.

6 **Q. I'm sorry. Can you repeat that answer.**

7 A. Approximately 55 degrees.

8 **Q. Did you change course to 55 degrees after**
9 **11:00 p.m. on December 14th, 2019?**

10 A. I don't remember.

11 **Q. Did you change course to 55 degrees before**
12 **11:00 p.m. on December 14th, 2019?**

13 A. I don't remember.

14 **Q. Am I remembering correctly that only a few**
15 **moments ago you testified that between 10:30 and**
16 **11:00 p.m. on December 14th your course was in an**
17 **easterly direction?**

18 A. With -- say that again.

19 MR. GOLDMAN: Michelle, maybe you can help
20 me.

21 My recollection is that a moment ago when we
22 were discussing the interval of 10:30 to
23 11:00 p.m. on the 14th, you testified that your
24 course was in an easterly direction.

Page 76

1 A. Yes.

2 **Q. Were you on that course at midnight, between**
3 **December 14th and December 15th?**

4 A. Yes.

5 **Q. Were you on that course at 11:00 p.m. on**
6 **December 14th?**

7 A. Not sure.

8 **Q. Were you on that course at 10:30 p.m. on**
9 **December 14th?**

10 A. I don't remember.

11 **Q. Were you on that course at 10:00 p.m. on**
12 **December 14th?**

13 A. I don't remember.

14 **Q. Were you on that --**

15 MS. NIEMEYER: Back to this line of
16 questioning, Mr. Andersson has very clearly
17 stated he doesn't remember, and he's very clearly
18 stated it was sometime before midnight.

19 MR. GOLDMAN: I think he's stating that he
20 doesn't remember, but I think he stated that he
21 did; and I think he stated easterly during these
22 times, and I'm trying to figure that out.

23 MS. NIEMEYER: We had the record read to us,
24 and he did not say easterly at 10:30 p.m. He

Page 77

1 said he didn't remember.

2 MR. GOLDMAN: Good. And I'm trying to
3 establish the last time he does remember heading
4 easterly.

5 I'll skip to that question.

6 BY MR. GOLDMAN:

7 **Q. Mr. Andersson, do you remember the last time that**
8 **you were heading in an easterly direction?**

9 A. Not exactly.

10 MR. GOLDMAN: Just a moment.

11 (Pause in the proceedings.)

12 **Q. Is it correct -- would it be accurate to say that**
13 **sometime between 8:30 p.m. on the 14th and 1:00**
14 **a.m. on the 15th, you changed course to 55**
15 **degrees?**

16 A. Yes. I would say that that would be.

17 **Q. All right. Thank you.**

18 MS. NIEMEYER: Mr. Goldman, Mr. Andersson's
19 response was I wouldn't say that would be, and
20 then he didn't finish.

21 Mr. Andersson, you need to finish your
22 answer.

23 THE WITNESS: Tell me what the question was.

24 BY MR. GOLDMAN:

Page 79

1 MS. NIEMEYER: I'm going to object to this
2 because essentially you're boring my client into
3 submission in a way that's outrageous.

4 I've never -- if you want to ask questions
5 about every half-hour interval of a three-day
6 journey, we're going to be here through the
7 weekend and into next week and --

8 MR. GOLDMAN: And that's exactly where we --

9 MS. NIEMEYER: -- that's -- you know, you
10 have a right to ask whatever you want, but I'm
11 going to object to you ask -- you've been through
12 your whole same list of questions four or five
13 times now for each interval.

14 You finished 10:30 to 11:00; you asked all
15 those questions, and now you're at 11:00 to
16 11:30.

17 I'm going to object to you asking those
18 questions again.

19 MR. GOLDMAN: Your objection is noted and
20 I'll start with 11:00.

21 BY MR. GOLDMAN:

22 **Q. Mr. Andersson, between 11:00 and 11:30, what was**
23 **your vessel's course?**

24 A. I don't remember exactly.

Page 78

1 **Q. Would it be correct that sometime -- I think I**
2 **used the time 8:30 -- sometime between 8:30 p.m.**
3 **on the 14th and 1:00 a.m. on the 15th, you**
4 **changed course to approximately 55 degrees; am I**
5 **correct?**

6 A. Yes.

7 **Q. All right. Going back to our interval between**
8 **10:30 and 11:00 p.m. on the 14th, was Ron**
9 **seasick?**

10 MS. NIEMEYER: Objection to form.

11 We already covered these questions at 10:30
12 to 11:00 p.m.

13 MR. GOLDMAN: Did we go all the way through?
14 Because my notes show that we did not.

15 MS. NIEMEYER: Let me just double-check, but
16 I believe we did.

17 Yes. He said no.

18 MR. GOLDMAN: Then I'll ask the court
19 reporter, can you please verify that it -- can
20 you please read the questions -- read the last
21 time that we asked the question about whether or
22 not Ron Naranjo was seasick.

23 (The requested portion was read back by the
24 reporter.)

Page 80

1 **Q. Had you -- did you execute a course change**
2 **between 11:00 and 11:30?**

3 A. I don't remember.

4 MS. NIEMEYER: Objection to form.

5 Again, you've already asked those questions.
6 The last question you asked prior to this
7 colloquy --

8 MR. GOLDMAN: This is my deposition,
9 Michelle.

10 BY MR. GOLDMAN:

11 **Q. What was the vessel's speed between 11:00 and**
12 **11:30 on the 14th?**

13 A. I don't know.

14 **Q. What was the direction of the wind between 11:00**
15 **and 11:30 on the 14th?**

16 A. Easterly.

17 **Q. What was the average speed of the wind between**
18 **11:00 and 11:30 on the 14th?**

19 A. Not sure.

20 **Q. Were there any waves or swells between 11:00 and**
21 **11:30 on the 14th?**

22 A. Yes.

23 **Q. How long between each wave or swell between 11:00**
24 **and 11:30 on the 14th?**

<p style="text-align: right;">Page 81</p> <p>1 A. I don't know.</p> <p>2 Q. What was the direction of the waves or swells</p> <p>3 between 11:00 and 11:30?</p> <p>4 A. I don't know.</p> <p>5 Q. What was the direction of the current during that</p> <p>6 period?</p> <p>7 A. I don't know.</p> <p>8 Q. What was the speed of the current during that</p> <p>9 period?</p> <p>10 A. I don't know.</p> <p>11 Q. Did you make any entry in the vessel's logbook</p> <p>12 during that period?</p> <p>13 A. Not in addition to the GPS.</p> <p>14 Q. Were the vessel's sails up during that period?</p> <p>15 A. I'm not sure.</p> <p>16 Q. Were both the vessel's engines in use during that</p> <p>17 period?</p> <p>18 A. Yes.</p> <p>19 Q. Do you remember the RPM of the engines during</p> <p>20 that period?</p> <p>21 A. No.</p> <p>22 Q. Were you at the helm during that period?</p> <p>23 A. No.</p> <p>24 Q. Was Ron at the helm during that period?</p>	<p style="text-align: right;">Page 83</p> <p>1 during that period?</p> <p>2 A. No. Aruba.</p> <p>3 Q. Were you more or less than 30 nautical miles from</p> <p>4 Aruba?</p> <p>5 A. I don't know.</p> <p>6 Q. Did you make any contact with the shore during</p> <p>7 that period?</p> <p>8 A. No.</p> <p>9 Q. Was the autopilot in use during that period?</p> <p>10 A. Yes.</p> <p>11 Q. Was the autopilot ever not in use during that</p> <p>12 period?</p> <p>13 A. No.</p> <p>14 Q. Between 11:30 p.m. and midnight on the 14th, what</p> <p>15 was the vessel's course?</p> <p>16 A. I don't remember.</p> <p>17 Q. What was the vessel's speed during that period?</p> <p>18 A. Don't remember.</p> <p>19 Q. What was the direction of the wind during that</p> <p>20 period?</p> <p>21 A. Easterly.</p> <p>22 Q. Did you execute any course changes during that</p> <p>23 period?</p> <p>24 A. Don't remember.</p>
<p style="text-align: right;">Page 82</p> <p>1 A. No.</p> <p>2 Q. Were you navigating the vessel during that</p> <p>3 period?</p> <p>4 A. Autopilot, radar, and GPS was doing navigation.</p> <p>5 I was looking -- overlooking it.</p> <p>6 Q. Who was acting as lookout during that period?</p> <p>7 A. I was.</p> <p>8 Q. Was Ron asleep during that period?</p> <p>9 A. Don't remember.</p> <p>10 Q. Was Ron seasick between 11:00 and 11:30 p.m. on</p> <p>11 the 14th?</p> <p>12 A. No.</p> <p>13 Q. Did you or Ron consume any food or drink during</p> <p>14 that period?</p> <p>15 A. I don't remember.</p> <p>16 Q. Was the vessel's radar on during that period?</p> <p>17 A. Yes.</p> <p>18 Q. Was the vessel's VHF radio functioning during</p> <p>19 that period?</p> <p>20 A. Yes.</p> <p>21 Q. Were the vessel's two GPS units functioning</p> <p>22 during that period?</p> <p>23 A. Yes.</p> <p>24 Q. Do you remember what the closest safe port was</p>	<p style="text-align: right;">Page 84</p> <p>1 Q. Do you remember the average speed of the wind</p> <p>2 during that period?</p> <p>3 A. No.</p> <p>4 Q. What was the gusting speed of the wind during</p> <p>5 that period?</p> <p>6 A. Don't know.</p> <p>7 Q. Were there any waves or swells during that</p> <p>8 period?</p> <p>9 A. Yes.</p> <p>10 Q. How tall were the waves or swells during that</p> <p>11 period?</p> <p>12 A. Don't know.</p> <p>13 Q. How long between each wave or swell during that</p> <p>14 period?</p> <p>15 A. I don't know.</p> <p>16 Q. What was the direction of the wave or swells</p> <p>17 during that period?</p> <p>18 A. I'm not sure.</p> <p>19 Q. What was the direction of the current during that</p> <p>20 period?</p> <p>21 A. I don't know.</p> <p>22 Q. What was the speed of the current during that</p> <p>23 period?</p> <p>24 A. I don't know.</p>

<p style="text-align: right;">Page 85</p> <p>1 Q. Did you make any entry in the vessel's logbook 2 during that period? 3 A. Not in addition to GPS and Garmin radar. 4 Q. Were the vessel's sails up during that period? 5 A. When are we talking? 11:30 to 12:00? 6 Q. Yes. 7 A. Don't remember. 8 Q. Were both the vessel's engines in use during that 9 period? 10 A. Yes. 11 Q. What was the RPM of the engines during that 12 period? 13 A. I don't know. 14 Q. Were you at the helm during that period? 15 A. Autopilot. 16 Q. Were you at the helm during that period? 17 A. Autopilot. 18 Q. It's a yes-or-no question. 19 Were you at the helm during that period? 20 A. I don't know. 21 Q. Was Ron at the helm during that period? 22 A. No. 23 Q. Were you navigating the vessel during that 24 period?</p>	<p style="text-align: right;">Page 87</p> <p>1 during that period? 2 A. I don't remember. 3 Q. Were you more than 20 miles from Aruba during 4 that period? 5 A. I don't remember. 6 Q. Did you make any contact with the shore during 7 that period? 8 A. No. 9 Q. Was the autopilot in use the entire time during 10 that period? 11 A. Yes. 12 Q. Between midnight and 12:30 a.m. on the 15th -- 13 excuse me. 14 Going back to the period of 11:30 p.m. to 15 midnight on the 14th, did you make any course 16 changes during that period? 17 A. I don't remember. 18 Q. Turning to the next period, between midnight and 19 12:30 on the 15th. 20 What was your vessel's course? 21 A. I don't remember exactly. 22 Q. Do you remember approximately? 23 A. Approximately 55 degrees. 24 Q. So between 12:00 and 12:30, your course was</p>
<p style="text-align: right;">Page 86</p> <p>1 A. Yes. 2 Q. Was Ron navigating the vessel during that period? 3 A. No. 4 Q. Who was acting as lookout during that period? 5 A. I was. 6 Q. Was Ron seasick during that period? 7 A. No. 8 Q. Was Ron asleep during that period? 9 A. Don't remember. 10 Q. Did you or Ron consume any food or drink during 11 that period? 12 A. I don't remember. 13 Q. Was the vessel's radar on during that period? 14 A. Yes. 15 Q. Was the vessel's VHF radio functioning during 16 that period? 17 A. Yes. 18 Q. Were the vessel's GPS units functioning during 19 that period? 20 A. Yes. 21 Q. Do you remember what the closest safe port was 22 during that period? 23 A. I don't remember. 24 Q. Do you remember how far you were from Aruba</p>	<p style="text-align: right;">Page 88</p> <p>1 approximately 55 degrees? 2 A. As far as I remember. 3 Q. What was your vessel's speed during that period? 4 A. Don't know. 5 Q. What was the direction of the wind during that 6 period? 7 A. Not exactly sure. 8 Q. Can you approximate? 9 A. Easterly. 10 MS. NIEMEYER: Objection to form. 11 Mr. Andersson, give me time to object, 12 please. 13 THE WITNESS: Sorry. 14 BY MR. GOLDMAN: 15 Q. What was the average speed of the wind during 16 that period? 17 A. I don't know. 18 Q. What was the gusting speed of the wind during 19 that period? 20 A. I don't know. 21 Q. How tall were the waves or swells during that 22 period? 23 A. Can you repeat that. 24 Q. How tall -- what was the height of the waves or</p>

Page 89

1 the swells during that period?

2 A. Not sure.

3 **Q. What was the direction of the waves or the swells**
4 **during that period?**

5 A. Not sure.

6 **Q. What was the direction of the current during that**
7 **period?**

8 A. I don't know.

9 **Q. What was the speed of the current during that**
10 **period?**

11 A. I don't know.

12 **Q. Did you make any entry in the vessel's logbook**
13 **during that period?**

14 A. Not in addition to GPS.

15 **Q. Were the vessel's sails up during that period?**

16 A. Not sure.

17 **Q. Were the vessel's engines in use during that**
18 **period?**

19 A. Yes.

20 **Q. What was the RPM of the engines during that**
21 **period?**

22 A. Don't know.

23 **Q. Were you at the helm during that period?**

24 A. Can you clarify what you mean with being at the

Page 91

1 A. Yes.

2 **Q. Were the GPS units functioning during that**
3 **period?**

4 A. Yes.

5 **Q. What was the closest safe port during that**
6 **period?**

7 A. Don't know.

8 **Q. How far were you from Aruba during that period?**

9 A. Don't know.

10 **Q. Were you more or less than 20 miles from Aruba**
11 **during that period?**

12 A. I don't know.

13 **Q. Did you make any contact with the shore during**
14 **that period?**

15 A. No.

16 **Q. Was the autopilot in use the entire time during**
17 **that period?**

18 A. Yes.

19 **Q. Did you make any course changes during that**
20 **period?**

21 A. Don't remember.

22 **Q. All right.**

23 MR. GOLDMAN: Michelle, it's noon. Do you
24 want to take a short lunch break, or do you want

Page 90

1 helm.

2 Do you mean steering the boat?

3 **Q. Hold on. Were you at the tiller or the wheel or**
4 **any of the other steering equipment for the**
5 **vessel?**

6 MS. NIEMEYER: Objection to form.

7 BY MR. GOLDMAN:

8 **Q. You can answer, Mr. Andersson.**

9 A. I was at one of the stations.

10 **Q. Was Ron at one of the stations?**

11 A. Don't remember.

12 **Q. Who was acting as lookout during that period?**

13 A. I was.

14 **Q. Was Ron asleep during that period?**

15 A. Don't remember.

16 **Q. Was Ron seasick during that period?**

17 A. No.

18 **Q. Did anyone on board consume any food or drink**
19 **during that period?**

20 A. Don't remember.

21 **Q. Was the vessel's radar on during that period?**

22 A. Yes.

23 **Q. Was the vessel's VHF radio still functioning**
24 **during that period?**

Page 92

1 to push on?

2 MS. NIEMEYER: No, I think what you're doing
3 is exhausting, and I think we really should take
4 a break.

5 MR. GOLDMAN: Okay. In order to maximize,
6 I'd say only a half an hour, but I'll do whatever
7 you find agreeable.

8 MS. NIEMEYER: Is half an hour okay for
9 everybody here?

10 THE WITNESS: If I can add something? I
11 won't be able to remember any half-hour
12 increments. Only roughly time of the day.

13 MR. GOLDMAN: Does that mean -- let's go off
14 the record.

15 (Discussion off the record.)

16 BY MR. GOLDMAN:

17 **Q. Mr. Andersson, are you saying that if I continue**
18 **to ask in half-hour increments you are unable to**
19 **remember any of this information for any specific**
20 **half-hour increment?**

21 A. Yes, that would be -- I would not be able to, no.

22 MR. GOLDMAN: All right. We'll come back in
23 half an hour, and we'll continue with the
24 30-minute increments.

Page 93

MS. NIEMEYER: We haven't clarified. Is half an hour okay with everyone who's in attendance here?

Martin, are you okay with a half-hour break?

THE WITNESS: Oh, yeah, half-hour break, yeah. I thought you said half-hour interval.

MS. NIEMEYER: Is a half-hour break enough for you?

THE WITNESS: Yes.

MS. NIEMEYER: Or do you need -- okay.

(Recess was taken from 12:03 p.m. until 12:29 p.m.)

BY MR. GOLDMAN:

Q. Mr. Andersson, as close as you can estimate, when did you change course to approximately 55 degrees?

A. I'm not sure. You --

Q. Were you --

A. What's that?

Q. You were about to keep answering. Go ahead, sir.

A. Yeah. You mean rounding the southeast corner of Aruba?

Q. That I couldn't say. But we're trying to establish -- we keep going back and forth on when during the evening of December 14th-December 15th

Page 95

Q. What was your vessel's speed between 10:00 p.m. and midnight on December 14th, 2019?

A. I don't know.

MS. NIEMEYER: Objection to form.

Again, the questions have been asked as to 10:30, 10:30 to 11:00, 11:00 to 11:30, and 11:30 to 12:00; and Mr. Andersson has answered all of those questions.

MR. GOLDMAN: He has vacillated back and forth. We are going to get his answers to these questions.

Your objection is noted. He has stated he doesn't remember --

MS. NIEMEYER: He has told you he doesn't remember.

MR. GOLDMAN: -- for every single one of these during the period of 10:00 to --

MS. NIEMEYER: I'm going to make a continuing objection --

MR. GOLDMAN: Fine.

MS. NIEMEYER: -- that specific timing line of inquiry when Mr. Andersson has made it very clear to you that he doesn't have a recollection of these specific time frames.

Page 94

you changed course to approximately 55 degrees.

So my question is do you remember approximately what time you changed course to 55 degrees? Approximately.

A. Well, to the best of my knowledge, it -- somewhere between 10:00 and -- 22:00 and midnight. Somewhere there.

Q. Splendid.

A. To the best of my knowledge.

Q. Then let's go over the period immediately before, just to make sure we have the record clear, and then we will pick up with midnight and it will help everybody -- everybody's attention, we will go in one-hour increments.

What was your vessel's course at 10:00 p.m. on December 14th, 2019?

MS. NIEMEYER: Objection to form.

This is the second or third time now that you're asking the same questions about this time frame.

MR. GOLDMAN: I understand.

BY MR. GOLDMAN:

Q. Mr. Andersson, you can answer.

A. I don't know.

Page 96

He has told you that for increments that add up to 10:00 to 12:00, he doesn't recall; so it seems reasonable to understand that he doesn't have a specific recollection of this in that time frame.

MR. GOLDMAN: Understanding --

MS. NIEMEYER: Other than with his comments about the change in course that he believes it happened during that time frame, but he doesn't know when.

MR. GOLDMAN: Splendid. Thank you. Your objection is noted.

We will continue.

BY MR. GOLDMAN:

Q. What was your vessel's speed between 10:00 p.m. and midnight on December 14th, 2019?

MS. NIEMEYER: Objection to form.

A. I don't recall.

Q. What was the direction of the wind between 10:00 p.m. and midnight on December 14th, 2019?

A. Somewhat easterly.

Q. What was the average speed of the wind during that period?

A. I don't recall.

<p style="text-align: right;">Page 97</p> <p>1 Q. What was the gusting speed of the wind during 2 that period? 3 A. I don't remember. 4 Q. How tall were the waves or swells during that 5 period? 6 A. I don't remember. 7 Q. How long between each wave or swell during that 8 period? 9 A. I don't remember. 10 Q. What was the average direction of the waves or 11 swells during that period? 12 A. Westerly. 13 Q. What was the average direction of the current 14 during that period? 15 A. I don't know. 16 Q. What was the average speed of the current during 17 that period? 18 A. I don't know. 19 Q. Did you make any entries in the vessel's logbook 20 during that period? 21 A. Not in addition to the GPS and radar. 22 Q. Were any of the vessel's sails up at any time 23 during that period? 24 A. I don't remember.</p>	<p style="text-align: right;">Page 99</p> <p>1 station; one person was always at the steering 2 station. 3 The autopilot was engaged, the radar was on, 4 the GPS, everything was there; so either 5 myself -- one person was always watching it; so, 6 yes, there was somebody, but it's not at the 7 helm, meaning as you steer it; but we don't steer 8 it while the autopilot is on. 9 Q. Who was at the -- were you at the steering 10 station -- 11 A. I don't remember. 12 Q. -- during that two-hour period? 13 A. I don't remember. 14 Q. Was Ron at the steering station at any time 15 during that two-hour period? 16 A. I don't remember who was there, but there was 17 always one there. 18 Q. Were you asleep at all during that period? 19 A. No. 20 Q. Was Ron asleep at all during that period? 21 A. I don't remember. 22 Q. Who was navigating the vessel -- were you 23 navigating the vessel during that period? 24 A. I go back to my other answer that the autopilot,</p>
<p style="text-align: right;">Page 98</p> <p>1 Q. Were the vessel's engines in use during that 2 entire period? 3 A. Yes. 4 Q. What was the average RPM of the engines during 5 that period? 6 A. I don't know. 7 Q. What was the maximum RPM of the engines during 8 that period? 9 A. I don't remember. 10 MS. NIEMEYER: Objection to form. 11 Are you asking whether -- what the maximum 12 RPM is of the engine as in what its abilities are 13 or the maximum that it was in operation with 14 Mr. Martin -- with Mr. Andersson? 15 MR. GOLDMAN: The latter. In operation. 16 THE WITNESS: Okay. Run it again, the 17 question. 18 BY MR. GOLDMAN: 19 Q. What was the average -- what was the maximum RPM 20 at which the engines operated during that same 21 period? 22 A. I don't know. 23 Q. Were you at the helm during that same period? 24 A. Let me clarify that. I was at the steering</p>	<p style="text-align: right;">Page 100</p> <p>1 the GPS, and the radar, and I monitor it. 2 So that's the navigation part. They maintain 3 a course that is set and that's it. 4 Q. I understand. Was Ron ever navigating the vessel 5 during that period? 6 A. In the sense of what I just answered, yes, he was 7 monitoring it; monitoring the equipment that was 8 engaged to maintain a certain course. 9 Q. Who was acting as lookout during that period? 10 A. That was me. 11 Q. Was Ron seasick at all during that two-hour 12 period? 13 A. No. 14 Q. Did either you or Ron consume any food or drink 15 during that period? 16 A. I don't remember. 17 Q. Was the vessel's radar on during that period? 18 A. Yes. 19 Q. Was the vessel's VHF radio functioning during 20 that period? 21 A. Yes. 22 Q. Were the vessel's GPS units functioning during 23 that period? 24 A. Yes.</p>

<p style="text-align: right;">Page 101</p> <p>1 Q. Do you remember what the closest safe port was 2 during that period? 3 A. Not exactly the port, but Aruba. 4 Q. Do you remember how many miles you were from 5 Aruba at -- 6 A. No. 7 Q. Were you more than 20 miles from Aruba at 8 midnight? 9 A. I don't know. 10 Q. Were you less than 20 miles from Aruba at 11 midnight? 12 A. I don't know. 13 Q. Without guessing, can you give an estimate as to 14 how many miles you were from Aruba at midnight? 15 A. No. 16 Q. Did you make any contact with the shore between 17 10:00 p.m. and midnight? 18 A. No. 19 Q. Was the autopilot in use during that entire 20 period? 21 A. Yes. 22 Q. At midnight on December 15th, 2019 -- or let's 23 say 00:01 on December 15th, 2019, what was your 24 vessel's course?</p>	<p style="text-align: right;">Page 103</p> <p>1 around 80 degrees. 2 Didn't we just have lunch? 3 Q. Reading it now, but I'm still nibbling on my 4 M&Ms. 5 At 1:00 a.m. on 12/15, what was your vessel's 6 course? 7 A. Around 55. 8 Q. What was your vessel's speed during that -- at 9 that time? 10 A. Not sure. 11 Q. Let me restate the question just to make sure I'm 12 asking clearly because I want to cover that 13 increment. 14 Between 1:00 a.m. and 2:00 a.m. on the 15th, 15 what was your vessel's course? 16 A. Around 55 degrees. 17 Q. Did you change course at all during that 18 period? 19 A. Not that I recall. 20 Q. Did you change course before noon on 12/15? 21 A. I don't recall. 22 Q. Did you change course before 6:00 p.m. on 23 12/15? 24 A. I don't recall that either.</p>
<p style="text-align: right;">Page 102</p> <p>1 A. To the best of my knowledge, it was around 55 2 degrees. 3 Q. Why did you change course to 55 degrees? 4 MS. NIEMEYER: Objection to form. 5 The question implies he changed course in 6 this time frame, and we need to be clear that 7 Mr. Andersson has stated he doesn't remember when 8 he changed course. 9 BY MR. GOLDMAN: 10 Q. Whatever time you changed course, sir, why did 11 you change course to 55 degrees? 12 A. I did that to get northeast away from mainland 13 Venezuela and the islands of Venezuela. 14 Q. When was your next intended course change? 15 A. That would have been -- I don't know the time 16 because you don't know the time, but it would 17 have been roughly about -- I would say about 70 18 to 90 miles from the eastern point. 19 Roughly. It could be 80 miles. I don't 20 know. Something like that. 21 Q. What course did you intend to change to at that 22 time? 23 A. That would be a more easterly course. I would 24 say weather permitting was that I was going to go</p>	<p style="text-align: right;">Page 104</p> <p>1 Q. Did you change course before midnight on 2 12/15/2019? 3 A. I'm not sure, but I believe so; but I'm not sure. 4 Sorry. I'm not sure. 5 Q. Did you change course before 6:00 in the morning 6 on December 16th? 7 A. Yes. 8 Q. What is the earliest time that you can recall 9 being on a course other than approximately 55 10 degrees? 11 A. I can't answer that. I don't know. 12 Q. Am I remembering correctly that you just said 13 that you had changed course before 6:00 in the 14 morning on the 16th? 15 A. I said, if I remember correctly, yes. 16 Q. Very good. 17 A. But that could be 2 degrees. 18 Q. What -- we'll get to that then. 19 At 2:00 in the morning on the 15th -- between 20 2:00 in the morning and 3:00 in the morning on 21 the 15th, what was your vessel's course? 22 A. Around 55. 23 Q. Do you remember what your vessel's average speed 24 was during that same period?</p>

<p style="text-align: right;">Page 105</p> <p>1 A. No.</p> <p>2 Q. Do you remember what your vessel's maximum speed</p> <p>3 was during that period?</p> <p>4 A. No.</p> <p>5 Q. What was the -- do you remember the average</p> <p>6 direction of the wind during that period?</p> <p>7 A. No, just generally easterly.</p> <p>8 Q. Do you remember the average speed of the wind</p> <p>9 during that period?</p> <p>10 A. No.</p> <p>11 Q. Do you remember the gusting speed of the wind</p> <p>12 during that period?</p> <p>13 A. No.</p> <p>14 Q. Do you remember the average height of the waves</p> <p>15 or swells during that period?</p> <p>16 A. No.</p> <p>17 Q. Do you remember -- remember the average length</p> <p>18 between each wave or swell during that period?</p> <p>19 A. No.</p> <p>20 Q. Do you remember the general -- the average</p> <p>21 direction of the waves or swells during that</p> <p>22 period?</p> <p>23 A. No.</p> <p>24 Q. Do you remember the average direction of the</p>	<p style="text-align: right;">Page 107</p> <p>1 A. Starboard. The wind came in from the</p> <p>2 starboard.</p> <p>3 Q. Were the vessel's engines in use between --</p> <p>4 A. Yes.</p> <p>5 Q. Were they in use the entire time between 2:00 and</p> <p>6 3:00 p.m. on the 15th?</p> <p>7 Excuse me. 2:00 and 3:00 a.m. on the 15th?</p> <p>8 A. Yes.</p> <p>9 Q. Do you remember what the average RPM of the</p> <p>10 engines were during that same period?</p> <p>11 A. No.</p> <p>12 Q. Do you remember the maximum RPM at which the</p> <p>13 engines were operated during that period?</p> <p>14 A. No.</p> <p>15 Q. Were you ever at the steering station during that</p> <p>16 period?</p> <p>17 A. What time was it?</p> <p>18 Q. From 2:00 in the morning to 3:00 in the morning.</p> <p>19 A. I don't recall.</p> <p>20 Q. Was Ron ever at the steering station during that</p> <p>21 period?</p> <p>22 A. It was either him or me.</p> <p>23 Q. Do you remember if you were at the steering</p> <p>24 station during that period?</p>
<p style="text-align: right;">Page 106</p> <p>1 current during that period?</p> <p>2 A. No.</p> <p>3 Q. Do you remember the average speed of the current</p> <p>4 during that period?</p> <p>5 A. No.</p> <p>6 Q. Did you make any entry in the vessel's logbook</p> <p>7 during that period?</p> <p>8 A. No, not in addition to the GPS and the Garmin.</p> <p>9 Q. Were the vessel's sails up at any time during</p> <p>10 that period?</p> <p>11 A. Yes.</p> <p>12 Q. When did you put the vessel's sails up?</p> <p>13 A. I don't recall exactly.</p> <p>14 Q. Was it after 2:00 in the morning on 12/15?</p> <p>15 A. I don't recall exactly.</p> <p>16 Q. Were the vessel's sails up by 3:00 in the morning</p> <p>17 on December 15th?</p> <p>18 A. Yes.</p> <p>19 Q. Very good. Which sails were up?</p> <p>20 A. Headsail only.</p> <p>21 Q. Were there any reefs in the headsail?</p> <p>22 A. No.</p> <p>23 Q. Were you on the port or the starboard tack at</p> <p>24 that time when the sails were up?</p>	<p style="text-align: right;">Page 108</p> <p>1 A. I don't remember.</p> <p>2 Q. Do you remember if Ron was at the steering</p> <p>3 station at all during that period?</p> <p>4 A. No, I don't remember.</p> <p>5 Q. Do you remember if Ron was ever at a steering</p> <p>6 station during the entire voyage?</p> <p>7 A. Yes.</p> <p>8 Q. When was he at the steering station?</p> <p>9 A. When I was asleep.</p> <p>10 Q. All right. Just one moment.</p> <p>11 Who was acting as lookout during that same</p> <p>12 period?</p> <p>13 A. Don't know.</p> <p>14 Q. Did you or Ron consume any food or drink during</p> <p>15 that same period?</p> <p>16 A. I don't remember.</p> <p>17 Q. Was the vessel's radar on during that period?</p> <p>18 A. Yes.</p> <p>19 Q. Was the vessel's VHF radio functioning during</p> <p>20 that period?</p> <p>21 A. Yes.</p> <p>22 Q. Were the vessel's GPS units functioning during</p> <p>23 that period?</p> <p>24 A. Yes.</p>

<p style="text-align: right;">Page 109</p> <p>1 Q. Do you remember what the closest safe port was 2 during that period? 3 A. No. 4 Q. Do you remember how many miles you were from 5 Aruba during that period? 6 A. No. 7 Q. Were you more than 30 miles from Aruba at all 8 during that period? 9 A. I don't recall. 10 Q. Did you make -- did you or Ron make any contact 11 with the shore during that period? 12 A. No. 13 Q. Was the autopilot in use during that entire 14 period? 15 A. Yes. 16 Q. Just one moment. 17 (Pause in the proceedings.) 18 BY MR. GOLDMAN: 19 Q. All right. Turning to the period from 3:00 in 20 the morning to 4:00 in the morning on the 15th. 21 What was your vessel's average course during 22 that period? 23 A. 55. 24 Q. What was the vessel's average speed during that</p>	<p style="text-align: right;">Page 111</p> <p>1 past, and now you're asking length of time. 2 Are you asking Mr. Andersson to estimate how 3 much time passed between the waves? 4 MR. GOLDMAN: Yes, exactly. 5 BY MR. GOLDMAN: 6 Q. What was the average length of time between each 7 wave or swell? 8 A. I don't know. 9 Q. Good. Thank you. What was the general direction 10 of the waves or swells? 11 A. I don't know. 12 Q. What was the general direction of the current 13 during that same period? 14 A. I don't know. 15 Q. What was the average speed of the current during 16 that period? 17 A. I don't know. 18 Q. Did you make any entries in the vessel's logbook 19 during that period? 20 A. Not in addition to GPS, radar, et cetera. 21 Q. Were any of the vessel's sails up during that 22 period? 23 A. Yes. 24 Q. Which sails?</p>
<p style="text-align: right;">Page 110</p> <p>1 same period? 2 A. I don't know. 3 Q. What was your vessel's maximum speed during that 4 period? 5 A. I don't know. 6 Q. What was the general direction of the wind during 7 that period? 8 A. I'm not sure. 9 Q. What was the average speed of the wind during 10 that period? 11 A. I don't know. 12 Q. What was the gusting speed of the wind during 13 that period? 14 A. I don't know. 15 Q. What were the average height of the waves or 16 swells during that period? 17 A. I don't know. 18 Q. What was the average length of time between each 19 wave or swell during that period? 20 MS. NIEMEYER: Objection to form. 21 BY MR. GOLDMAN: 22 Q. You can answer, Mr. Andersson. 23 MS. NIEMEYER: You said length of time. Are 24 you actually -- you've asked the intervals in the</p>	<p style="text-align: right;">Page 112</p> <p>1 A. Headsail. 2 Q. Were there any reefs in the sails? 3 A. No. 4 Q. Were you on the port or the starboard tack during 5 that period? 6 A. The wind came in from starboard. 7 Q. You'll have to forgive this landlubber. Can you 8 explain what that means. 9 A. The port tack. 10 Q. Thank you. Were the vessel's engines in use 11 during that period? 12 A. Yes. 13 Q. During the entire period? 14 A. Yes. 15 Q. What was the average RPM of the engines during 16 that period? 17 A. I don't know. 18 Q. What was the maximum RPM obtained by the engines 19 during that period? 20 A. I don't know. 21 Q. Were you at the steering station at all during 22 that period? 23 A. What's the time now? 24 Q. Between 3:00 and 4:00 in the morning on the 5th.</p>

<p style="text-align: right;">Page 113</p> <p>1 A. I don't recall.</p> <p>2 Q. Excuse me, the 15th.</p> <p>3 Was Ron at the steering station at all during</p> <p>4 that same period?</p> <p>5 A. I don't recall.</p> <p>6 Q. Who was acting as lookout during that period?</p> <p>7 A. I don't recall.</p> <p>8 Q. Were you asleep during that period?</p> <p>9 A. I don't remember.</p> <p>10 Q. Was Ron asleep during that period?</p> <p>11 A. I don't remember.</p> <p>12 Q. Was Ron seasick during that period?</p> <p>13 A. No.</p> <p>14 Q. Did you or Ron consume any food or drink during</p> <p>15 that period?</p> <p>16 A. I don't recall.</p> <p>17 Q. Was the vessel's radar on during that period?</p> <p>18 A. Yes.</p> <p>19 Q. Was the vessel's VHF radio functioning during</p> <p>20 that period?</p> <p>21 A. Yes.</p> <p>22 Q. Were the vessel's GPS units functioning during</p> <p>23 that period?</p> <p>24 A. Yes.</p>	<p style="text-align: right;">Page 115</p> <p>1 A. Not that I can recall.</p> <p>2 Q. What was the vessel's average speed during that</p> <p>3 period?</p> <p>4 A. Don't know.</p> <p>5 Q. Do you remember the vessel's maximum speed during</p> <p>6 that period?</p> <p>7 A. No.</p> <p>8 Q. What was the direction of the wind during that</p> <p>9 period?</p> <p>10 A. The wind?</p> <p>11 Q. The direction of the wind during that period.</p> <p>12 A. I'm not sure exactly.</p> <p>13 Q. Can you approximate the direction of the wind</p> <p>14 during that period?</p> <p>15 MS. NIEMEYER: Objection to form. You're</p> <p>16 asking my client to guess.</p> <p>17 MR. GOLDMAN: No, I'm not asking. I'm asking</p> <p>18 him to approximate.</p> <p>19 BY MR. GOLDMAN:</p> <p>20 Q. You can answer, Mr. Andersson.</p> <p>21 A. Oh, you froze. Everybody froze. I couldn't hear</p> <p>22 anything.</p> <p>23 Q. Okay. What was the -- do you remember the</p> <p>24 approximate direction of the wind during that</p>
<p style="text-align: right;">Page 114</p> <p>1 Q. How many miles from Aruba were you at that</p> <p>2 period?</p> <p>3 A. I don't know.</p> <p>4 Q. Were you more than 30 miles from Aruba?</p> <p>5 A. I don't know.</p> <p>6 Q. Can you give an estimate as to how many miles you</p> <p>7 were from Aruba?</p> <p>8 A. No.</p> <p>9 Q. Were you close -- can you estimate were you</p> <p>10 closer to Aruba or St. Vincent?</p> <p>11 A. Closer to Aruba.</p> <p>12 Q. Thank you. Did you make -- did you or Ron make</p> <p>13 any contact with the shore during that period?</p> <p>14 A. Not that I can remember.</p> <p>15 Q. Was the autopilot in use during that entire</p> <p>16 period?</p> <p>17 A. Yes.</p> <p>18 Q. All right. Turning to the period from 4:00 in</p> <p>19 the morning to 5:00 in the morning.</p> <p>20 What was your vessel's general course between</p> <p>21 4:00 and 5:00 in the morning on December 15th?</p> <p>22 A. 55.</p> <p>23 Q. Did you execute any course changes during that</p> <p>24 period?</p>	<p style="text-align: right;">Page 116</p> <p>1 period?</p> <p>2 A. Somewhat easterly.</p> <p>3 Q. Do you remember the average speed of the wind</p> <p>4 during that period?</p> <p>5 A. No.</p> <p>6 Q. What was the maximum -- what was the gusting</p> <p>7 speed of the wind during that period?</p> <p>8 A. I don't know.</p> <p>9 Q. What was the average height of the waves or the</p> <p>10 swells during that period?</p> <p>11 A. I don't know.</p> <p>12 Q. What was the average length of time between each</p> <p>13 wave or swell during that period?</p> <p>14 A. I don't know.</p> <p>15 Q. What was the general direction of the current</p> <p>16 during that period?</p> <p>17 A. I don't know.</p> <p>18 Q. What was the average speed of the current during</p> <p>19 that period?</p> <p>20 A. I don't know.</p> <p>21 Q. Did you make any entries in the vessel's logbook</p> <p>22 during that period?</p> <p>23 A. Not in addition to the GPS.</p> <p>24 Q. Were any of the vessel's sails up during that</p>

<p style="text-align: right;">Page 117</p> <p>1 period?</p> <p>2 A. Yes.</p> <p>3 Q. Which sails were up?</p> <p>4 A. Headsail.</p> <p>5 Q. Were there any reefs in the headsail?</p> <p>6 A. No.</p> <p>7 Q. Were you on the port or the starboard tack during</p> <p>8 that period?</p> <p>9 A. Port tack.</p> <p>10 Q. Were the vessel's engines in use at any time</p> <p>11 during that period?</p> <p>12 A. Yes.</p> <p>13 Q. Were they in use the entire time?</p> <p>14 MS. NIEMEYER: Objection to form.</p> <p>15 Are you talking about the period or the</p> <p>16 entire voyage?</p> <p>17 MR. GOLDMAN: That period.</p> <p>18 A. Yes, the engines were on.</p> <p>19 BY MR. GOLDMAN:</p> <p>20 Q. The entire time during that period?</p> <p>21 A. Yes. That was the question; wasn't it?</p> <p>22 Q. Yes. What was the average RPM of the engines</p> <p>23 during that period?</p> <p>24 A. I don't know.</p>	<p style="text-align: right;">Page 119</p> <p>1 Q. Was the vessel's VHF radio functioning during</p> <p>2 that period?</p> <p>3 A. Yes.</p> <p>4 Q. Were the GPS units functioning during that</p> <p>5 period?</p> <p>6 A. Yes.</p> <p>7 Q. Do you recall what the closest safe port was</p> <p>8 during that period?</p> <p>9 A. I do not recall.</p> <p>10 Q. Do you remember approximately how far you were</p> <p>11 from Aruba at that period?</p> <p>12 A. No.</p> <p>13 Q. Did you make any contact with the shore during</p> <p>14 that period?</p> <p>15 A. Not that I can recall.</p> <p>16 Q. Was the autopilot in use during that entire</p> <p>17 period?</p> <p>18 A. Yes.</p> <p>19 Q. All right. Turning to the next period. From</p> <p>20 5:00 in the morning to 6:00.</p> <p>21 What was your vessel's general course between</p> <p>22 the period of 5:00 in the morning and 6:00 in the</p> <p>23 morning on December 15th, 2019?</p> <p>24 A. General direction, 55 degrees approximately.</p>
<p style="text-align: right;">Page 118</p> <p>1 Q. Do you remember the maximum RPMs at which the</p> <p>2 engines were operating during that period?</p> <p>3 A. No.</p> <p>4 Q. Were you at the steering station at all during</p> <p>5 that period?</p> <p>6 A. What time was it?</p> <p>7 Q. Between 4:00 and 5:00 in the morning on the 15th.</p> <p>8 A. I don't recall. Don't know. I don't remember.</p> <p>9 Q. Was Ron at the steering station at all during</p> <p>10 that same period?</p> <p>11 A. I don't remember.</p> <p>12 Q. Who was acting as lookout during that period?</p> <p>13 A. One of us.</p> <p>14 Q. Were you asleep during that period?</p> <p>15 A. I don't remember.</p> <p>16 Q. Was Ron asleep during that period?</p> <p>17 A. I don't remember.</p> <p>18 Q. Was Ron seasick during that period?</p> <p>19 A. No.</p> <p>20 Q. Did you or Ron consume any food or drink during</p> <p>21 that period?</p> <p>22 A. Don't remember.</p> <p>23 Q. Was the vessel's radar on during that period?</p> <p>24 A. Yes.</p>	<p style="text-align: right;">Page 120</p> <p>1 Q. Did you make any course changes during that</p> <p>2 period?</p> <p>3 A. Not that I can recall.</p> <p>4 Q. What was your vessel's average speed during that</p> <p>5 period?</p> <p>6 A. I don't know.</p> <p>7 Q. Can you estimate your vessel's average speed</p> <p>8 during that period?</p> <p>9 A. No.</p> <p>10 Q. What was the general direction of the wind during</p> <p>11 that period?</p> <p>12 A. Same as the hour before. Generally easterly.</p> <p>13 Q. What was the average speed of the wind during</p> <p>14 that period?</p> <p>15 A. I'm not sure.</p> <p>16 Q. What was the gusting speed of the wind during</p> <p>17 that period?</p> <p>18 A. I'm not sure.</p> <p>19 Q. What was the height of the waves or swells during</p> <p>20 that period?</p> <p>21 A. I don't know.</p> <p>22 Q. What was the average length of time between each</p> <p>23 wave or swell during that period?</p> <p>24 A. I don't know.</p>

<p style="text-align: right;">Page 121</p> <p>1 Q. What was the general direction of the waves or 2 swells during that period? 3 A. I don't know. 4 Q. What was the general direction of the current 5 during that same period? 6 A. I don't know. 7 Q. What was the average speed of the current during 8 that period? 9 A. I don't know. 10 Q. Were any of the vessel's sails up during that 11 period? 12 A. Yes. 13 Q. Which sails were up during that period? 14 A. One sail. The headsail. 15 Q. Were there any reefs in the headsail? 16 A. No. 17 Q. Were you on port or the starboard tack? 18 A. Port. 19 Q. Were the vessel's engines in use during that 20 period? 21 A. Yes. 22 Q. Were they in use that entire period? 23 A. Yes. 24 Q. What was the average RPM of the engines during</p>	<p style="text-align: right;">Page 123</p> <p>1 and he's claiming he doesn't remember; but he's 2 also claiming that both of them were acting as 3 lookout. 4 MS. NIEMEYER: He never claimed that. He 5 claimed one of them was always the lookout. It's 6 not the same. 7 BY MR. GOLDMAN: 8 Q. Were you the lookout at all during that period? 9 A. I don't remember. 10 Q. Was Ron the lookout at all during that period? 11 A. I don't remember. One was always there. 12 Q. Which of you was there during that period? 13 A. I don't remember. 14 Q. Were you asleep at all during -- 15 MS. NIEMEYER: I'm objecting to this line of 16 inquiry. 17 At this point, it's becoming harassing. 18 BY MR. GOLDMAN: 19 Q. Were you asleep at all during that period? 20 A. I don't remember. 21 Q. Was Ron asleep at all during that period? 22 A. I don't remember. 23 Q. Was Ron seasick at all during that period? 24 A. No.</p>
<p style="text-align: right;">Page 122</p> <p>1 that period? 2 A. Don't recall. 3 Q. What was the maximum RPM at which the engines 4 were operating during that period? 5 A. I don't know. 6 Q. Were you at the steering station at all during 7 that period? 8 A. I don't remember. 9 Q. Was Ron at the steering station at all during 10 that period? 11 A. I don't remember. 12 Q. Who was acting as lookout during that period? 13 A. One of us. 14 Q. Do you remember which one? 15 A. No. 16 Q. Were you acting as lookout at all during that 17 period? 18 A. I don't remember. 19 Q. So if -- do you remember acting as lookout at all 20 during that period? 21 MS. NIEMEYER: Objection to form. 22 Mr. Andersson has answered that question 23 twice now. 24 MR. GOLDMAN: No, he's answering evasively,</p>	<p style="text-align: right;">Page 124</p> <p>1 Q. Did you or Ron consume any food or drink during 2 that period? 3 A. I don't recall. 4 Q. Was the vessel's radar on during that period? 5 A. Yes. 6 Q. Was the vessel's VHF radio functioning during 7 that period? 8 A. Yes. 9 Q. Were the vessel's GPS units functioning during 10 that period? 11 A. Yes. 12 Q. Do you remember what the closest safe port was 13 during that period? 14 A. No. 15 Q. Do you remember approximately how many miles you 16 were from Aruba during that period? 17 A. No. 18 Q. Did you or Ron make any contact with the shore 19 during that period? 20 A. Can't remember. 21 Q. Was the autopilot in use during the entire time 22 of that period? 23 A. Yes. 24 Q. All right. Turning to the next hourly interval.</p>

Page 125

1 From 6:00 to 7:00.

2 What was your vessel's average course during
3 that period?

4 A. Approximately 55 degrees.

5 Q. Did you execute any course changes between 6:00
6 and 7:00 in the morning of the 15th?

7 A. Not that I can recall.

8 MR. GOLDMAN: Just a moment.

9 (Pause in the proceedings.)

10 BY MR. GOLDMAN:

11 Q. What was the vessel's average speed between 6:00
12 and 7:00 in the morning on the 15th?

13 A. Don't remember.

14 Q. What was the vessel's maximum speed during that
15 interval?

16 A. I don't remember.

17 Q. What was the average speed of the wind -- excuse
18 me, the average direction of the wind during that
19 interval?

20 A. It was easterly; northeasterly.

21 MS. NIEMEYER: I'm going to ask at this
22 point -- I'd like to ask Mr. Andersson if he
23 needs a break because he appears to be tired
24 and --

Page 126

1 MR. GOLDMAN: Of course.

2 MS. NIEMEYER: -- this is really tedious
3 questioning. I don't want him to make mistakes
4 because he's exhausted.

5 Mr. Andersson, are you okay, or do you need a
6 break?

7 THE WITNESS: Yeah, I want to go get some
8 water.

9 Maybe you want to finish your M&Ms in the
10 meantime.

11 MR. GOLDMAN: Thank you very much.

12 (Recess was taken from 1:08 p.m. until 1:10 p.m.)

13 (The requested portion was read back by the
14 reporter.)

15 BY MR. GOLDMAN:

16 Q. What was the average speed of the wind during
17 that period?

18 A. I'm not sure.

19 Q. What was the gusting speed of the wind during
20 that period?

21 A. I'm not sure.

22 Q. What was the average height of the waves or
23 swells during that period?

24 A. I'm not sure.

Page 127

1 Q. What was the average length of time between each
2 wave or swell during that period?

3 A. I'm not sure.

4 Q. What was the direction of the waves or swells
5 during that period?

6 A. I'm not sure.

7 Q. What was the general direction of the current
8 during that period?

9 A. I'm not sure.

10 Q. What was the speed of the -- average speed of the
11 current during that period?

12 A. I'm not sure.

13 Q. Did you make any entry in the vessel's logbook
14 during that period?

15 A. Not in addition to the GPS.

16 Q. Were the -- any of the vessel's sails up during
17 that period?

18 A. Yes.

19 Q. Which of the vessel's sails were up?

20 A. The headsail.

21 Q. Were there any reefs in the headsail?

22 A. No.

23 Q. Were you on the port or the starboard tack during
24 that period?

Page 128

1 A. Port.

2 Q. Were both the vessel's engines in use during that
3 period?

4 A. Yes.

5 Q. What was the average RPM of the vessel during
6 that period -- excuse me. I misspoke.

7 What was the average RPM of the engines
8 during that period?

9 A. Don't know.

10 Q. What was the maximum RPM at which the vessel --
11 at which the engines were operated during that
12 period?

13 A. I don't know.

14 Q. Were you at the steering station at all during
15 that period?

16 A. I don't remember.

17 Q. Was Ron at the steering station at all during
18 that period?

19 A. I don't remember.

20 Q. Who was acting as lookout during that period?

21 A. One of us.

22 Q. Were you asleep during that period?

23 A. I don't remember.

24 Q. Was Ron asleep during that period?

<p style="text-align: right;">Page 129</p> <p>1 A. I don't remember.</p> <p>2 Q. Did you or Ron consume any food or drink during</p> <p>3 that period?</p> <p>4 A. I don't remember.</p> <p>5 Q. Was the vessel's radar on during that period?</p> <p>6 A. Yes.</p> <p>7 Q. How do you know the vessel's radar was on during</p> <p>8 that period?</p> <p>9 A. Please repeat.</p> <p>10 Q. I'm sorry. I didn't understand that. Can you</p> <p>11 repeat that.</p> <p>12 A. I said please repeat the question.</p> <p>13 Q. Okay. How do you know the vessel's -- the</p> <p>14 vessel's radar was on from the period of 6:00 in</p> <p>15 the morning to 7:00 in the morning on the 15th?</p> <p>16 A. I don't understand that question at all.</p> <p>17 Q. Well, let me describe here. I know my computer</p> <p>18 is on because I can look at it and it's</p> <p>19 functioning. I'm sitting here, and I'm looking</p> <p>20 at it.</p> <p>21 How can you tell me that the vessel's radar</p> <p>22 was on from 6:00 to 7:00 in the morning on the</p> <p>23 15th?</p> <p>24 A. Because one of us was always sitting there in</p>	<p style="text-align: right;">Page 131</p> <p>1 A. I don't know.</p> <p>2 Q. Can you estimate how many miles you were from</p> <p>3 Aruba at that -- during that period?</p> <p>4 A. No.</p> <p>5 Q. Can you estimate how many miles you were from any</p> <p>6 point on land during that period?</p> <p>7 A. Not really.</p> <p>8 Q. Did you make any contact with the shore during</p> <p>9 that period?</p> <p>10 A. Not that I remember.</p> <p>11 Q. Was the vessel's autopilot in use during that</p> <p>12 entire period?</p> <p>13 A. Yes.</p> <p>14 Q. All right. From 7:00 in the morning to 8:00 in</p> <p>15 the morning on the 15th, do you remember what</p> <p>16 your vessel's general course was?</p> <p>17 A. Approximately 55 degrees.</p> <p>18 Q. Did you make any course changes during that</p> <p>19 period?</p> <p>20 A. Not that I can recall.</p> <p>21 Q. Do you remember the vessel's average speed during</p> <p>22 that period?</p> <p>23 A. No.</p> <p>24 Q. Did the vessel's speed change at all during that</p>
<p style="text-align: right;">Page 130</p> <p>1 front of it and looking at it.</p> <p>2 Q. Which one of you?</p> <p>3 A. I don't remember.</p> <p>4 Q. Do you remember if you were sitting in front of</p> <p>5 it at any time? At any time during the entire</p> <p>6 voyage.</p> <p>7 A. During the entire voyage?</p> <p>8 Q. Yes.</p> <p>9 A. We've gone from one hour to the whole voyage? Of</p> <p>10 course I was there a lot.</p> <p>11 Q. Good. Was Ron ever there during the entire</p> <p>12 voyage?</p> <p>13 A. Yes.</p> <p>14 Q. Can you describe again for me where the vessel's</p> <p>15 radar display is located.</p> <p>16 A. Starboard steering station.</p> <p>17 Q. Was the vessel's VHF radio functioning during</p> <p>18 that period?</p> <p>19 A. As far as I know.</p> <p>20 Q. Were the vessel's GPS units functioning during</p> <p>21 that period?</p> <p>22 A. Yes.</p> <p>23 Q. What was the closest safe port during that</p> <p>24 period?</p>	<p style="text-align: right;">Page 132</p> <p>1 period?</p> <p>2 A. I don't know.</p> <p>3 Q. Do you remember the average direction of the wind</p> <p>4 during that period?</p> <p>5 A. Well, it's the same -- the direction, it came</p> <p>6 from east/northeast.</p> <p>7 Q. Do you remember the average speed of the wind</p> <p>8 during that period?</p> <p>9 A. No.</p> <p>10 Q. Do you remember the gusting speed of the wind</p> <p>11 during that period?</p> <p>12 A. No.</p> <p>13 Q. Do you remember the average height of the waves</p> <p>14 or the swells during that period?</p> <p>15 A. No.</p> <p>16 Q. Do you remember the amount of time between each</p> <p>17 wave or swell during that period? The average</p> <p>18 amount of time.</p> <p>19 A. No.</p> <p>20 Q. Do you remember the general direction of the</p> <p>21 waves or swells during that period?</p> <p>22 A. No.</p> <p>23 Q. Do you remember the general direction of the</p> <p>24 current during that period?</p>

<p style="text-align: right;">Page 133</p> <p>1 A. No.</p> <p>2 Q. Do you remember the average speed of the current</p> <p>3 during that period?</p> <p>4 A. No.</p> <p>5 Q. Did you make any entry in the vessel's logbook</p> <p>6 during that period?</p> <p>7 A. Not in addition to the GPS, radar.</p> <p>8 Q. Were any of the vessel's sails up during that</p> <p>9 period?</p> <p>10 A. Yes.</p> <p>11 Q. Which sails were up during that period?</p> <p>12 A. The headsail.</p> <p>13 Q. Were there any reefs in the headsail during that</p> <p>14 period?</p> <p>15 A. Not that I can recall.</p> <p>16 Q. Were you on the port or the starboard tack during</p> <p>17 that period?</p> <p>18 A. Port.</p> <p>19 Q. Were the vessel's engines in use during that</p> <p>20 entire period?</p> <p>21 A. Yes.</p> <p>22 Q. What was the average RPM of the vessel's engines</p> <p>23 during that period?</p> <p>24 A. Don't know.</p>	<p style="text-align: right;">Page 135</p> <p>1 Q. Did you or Ron consume any food or drink during</p> <p>2 that period?</p> <p>3 A. I don't remember.</p> <p>4 Q. Was the vessel's radar on during that period?</p> <p>5 A. Yes.</p> <p>6 Q. Was the vessel's VHF radio functioning during</p> <p>7 that period?</p> <p>8 A. As far as I know.</p> <p>9 Q. Who was monitoring the VHF radio during that</p> <p>10 period?</p> <p>11 A. Both of us.</p> <p>12 Q. Who was observing the vessel's radar during that</p> <p>13 period?</p> <p>14 A. One of us.</p> <p>15 Q. Which one of you?</p> <p>16 A. I don't remember.</p> <p>17 Q. Were the vessel's GPS units functioning during</p> <p>18 that period?</p> <p>19 A. Yes.</p> <p>20 Q. Do you know what the closest safe port was during</p> <p>21 that period?</p> <p>22 A. No.</p> <p>23 Q. Can you estimate at all how far you were from</p> <p>24 Aruba during that period?</p>
<p style="text-align: right;">Page 134</p> <p>1 Q. What was the maximum RPM at which the vessel's</p> <p>2 engines were operating during that period?</p> <p>3 A. I don't know.</p> <p>4 Q. Were you at the steering station at all during</p> <p>5 that period?</p> <p>6 A. I don't remember.</p> <p>7 Q. Was Ron at the steering station at all during</p> <p>8 that period?</p> <p>9 A. I don't remember.</p> <p>10 Q. Were you navigating the vessel at all during that</p> <p>11 period?</p> <p>12 A. I don't remember.</p> <p>13 Q. Was Ron navigating the vessel at all during that</p> <p>14 period?</p> <p>15 A. I don't remember.</p> <p>16 Q. Who was acting as lookout during that period?</p> <p>17 A. One of us.</p> <p>18 Q. Were you asleep during that period at all?</p> <p>19 A. I don't remember.</p> <p>20 Q. Was Ron asleep at any time during that period?</p> <p>21 A. You know what, I don't remember.</p> <p>22 Q. Was Ron seasick during -- at any time that</p> <p>23 period?</p> <p>24 A. No.</p>	<p style="text-align: right;">Page 136</p> <p>1 A. No.</p> <p>2 Q. Can you estimate at all how far you were from any</p> <p>3 point of land during that period?</p> <p>4 A. No.</p> <p>5 Q. Did you or Ron make any contact with the shore</p> <p>6 during that period?</p> <p>7 A. Not that I can remember.</p> <p>8 Q. Was the vessel's autopilot in use during that</p> <p>9 entire interval?</p> <p>10 A. Yes.</p> <p>11 Q. Turning to the period of 8:00 in the morning to</p> <p>12 9:00 in the morning on 12/15, what was the</p> <p>13 vessel's average course during that period?</p> <p>14 A. 55 degrees.</p> <p>15 Q. Did you make any course changes during that</p> <p>16 period?</p> <p>17 A. Not that I can recall.</p> <p>18 Q. What was the vessel's average speed during that</p> <p>19 period?</p> <p>20 A. I don't know.</p> <p>21 Q. What was the general direction of the wind during</p> <p>22 that period?</p> <p>23 A. East/northeast.</p> <p>24 MR. GOLDMAN: Hold on just a moment.</p>

<p style="text-align: right;">Page 137</p> <p>1 (Pause in the proceedings.)</p> <p>2 BY MR. GOLDMAN:</p> <p>3 Q. Mr. Andersson, the landlubbers here need to</p> <p>4 clarify something just to be certain that we're</p> <p>5 understanding.</p> <p>6 When you say east/northeast, do you mean the</p> <p>7 wind is blowing from east/northeast?</p> <p>8 A. Yes.</p> <p>9 Q. Very good. Thank you. That's what we thought,</p> <p>10 but we had to be a hundred percent certain.</p> <p>11 What was the average speed of the wind during</p> <p>12 that interval, 8:00 in the morning to 9:00 in the</p> <p>13 morning, on 12/15?</p> <p>14 A. I don't know.</p> <p>15 Q. What was the gusting speed of the wind during</p> <p>16 that period?</p> <p>17 A. I don't know.</p> <p>18 Q. What was the average height of the waves or</p> <p>19 swells during that period?</p> <p>20 A. I don't know.</p> <p>21 Q. What was the average length of time between each</p> <p>22 wave or swell?</p> <p>23 A. I don't know.</p> <p>24 Q. What was the general direction of the waves or</p>	<p style="text-align: right;">Page 139</p> <p>1 A. Yes.</p> <p>2 Q. What was the average RPM of the vessel's engines</p> <p>3 during that period?</p> <p>4 A. I don't remember.</p> <p>5 Q. What was the maximum RPM at which the vessel's</p> <p>6 engines were operated during that period?</p> <p>7 A. I don't know.</p> <p>8 Q. Were you at the steering station at all during</p> <p>9 that period?</p> <p>10 A. I don't remember.</p> <p>11 Q. Was Ron at the steering station at all during</p> <p>12 that period?</p> <p>13 A. I don't remember.</p> <p>14 Q. Who was acting as lookout during that period?</p> <p>15 A. I don't remember.</p> <p>16 Q. Were you asleep at all during that period?</p> <p>17 A. I don't remember.</p> <p>18 Q. Was Ron asleep at all during that period?</p> <p>19 A. I don't remember.</p> <p>20 Q. Did you or Ron consume any food or drink during</p> <p>21 that period?</p> <p>22 A. I don't remember.</p> <p>23 Q. Was the vessel's radar on during that period?</p> <p>24 A. Yes.</p>
<p style="text-align: right;">Page 138</p> <p>1 the swells?</p> <p>2 A. I don't know.</p> <p>3 Q. What was the average direction of the current</p> <p>4 during that period?</p> <p>5 A. I don't know.</p> <p>6 Q. What was the average speed of the current during</p> <p>7 that period?</p> <p>8 A. I don't know.</p> <p>9 Q. Did you make any entries in the vessel's logbook</p> <p>10 during that period?</p> <p>11 A. Not in addition to the GPS, radar.</p> <p>12 Q. Were the vessel's -- any of the vessel's sails up</p> <p>13 during that period?</p> <p>14 A. Yes.</p> <p>15 Q. Which sails were up during that period?</p> <p>16 A. The headsail.</p> <p>17 Q. Were there any reefs in the headsail during that</p> <p>18 period?</p> <p>19 A. Not that I can remember.</p> <p>20 Q. Were you on the port tack or the starboard tack</p> <p>21 during that period?</p> <p>22 A. Port.</p> <p>23 Q. Were both the vessel's engines in use during that</p> <p>24 entire period?</p>	<p style="text-align: right;">Page 140</p> <p>1 Q. Were you monitoring the vessel's radar during</p> <p>2 that period?</p> <p>3 A. I don't remember.</p> <p>4 Q. Was Ron monitoring the vessel's radar during that</p> <p>5 period?</p> <p>6 A. I don't remember.</p> <p>7 Q. Was the vessel's VHF radio functioning during</p> <p>8 that period?</p> <p>9 A. As far as I know.</p> <p>10 Q. As far as you know?</p> <p>11 A. We could hear the VHF going off all the time; so,</p> <p>12 yes, I assumed that it was working, yes.</p> <p>13 Q. What could you hear on the VHF radio?</p> <p>14 A. What you can hear on the VHF radio?</p> <p>15 Q. You said it was going off all the time.</p> <p>16 What does that mean? What did you hear?</p> <p>17 A. You monitor an emergency channel report 16, and</p> <p>18 it's always ships calling each other there; so</p> <p>19 you hear that.</p> <p>20 Q. Were the vessel's GPS units functioning during</p> <p>21 that period?</p> <p>22 A. Yes.</p> <p>23 Q. Do you remember what the closest safe port was</p> <p>24 during that period?</p>

<p style="text-align: right;">Page 141</p> <p>1 A. No.</p> <p>2 Q. Can you give an estimate to within 50 miles how</p> <p>3 far you were from Aruba?</p> <p>4 A. No.</p> <p>5 Q. Can you give an estimate to within 50 miles how</p> <p>6 far you were from any point of land during that</p> <p>7 period?</p> <p>8 A. No.</p> <p>9 Q. Did you or Ron make any contact with the shore</p> <p>10 during that period?</p> <p>11 A. Not that I can remember.</p> <p>12 Q. Was the autopilot in use during that entire</p> <p>13 period?</p> <p>14 A. Yes.</p> <p>15 Q. All right. Turning to the period from 9:00 in</p> <p>16 the morning to 10:00 in the morning on the 15th.</p> <p>17 What was the vessel's average -- general</p> <p>18 course during that period, 9:00 to 10:00 in the</p> <p>19 morning on the 15th?</p> <p>20 A. 55.</p> <p>21 Q. Did you make any course changes during that</p> <p>22 period?</p> <p>23 A. Not that I can remember.</p> <p>24 Q. What was the vessel's average speed during that</p>	<p style="text-align: right;">Page 143</p> <p>1 A. I don't know.</p> <p>2 Q. What was the average speed of the current during</p> <p>3 that period?</p> <p>4 A. I don't know.</p> <p>5 Q. Did you make any entry in the vessel's logbook</p> <p>6 during that period?</p> <p>7 A. Not in addition to the GPS.</p> <p>8 Q. Were the vessel's sails up at any time during</p> <p>9 that period?</p> <p>10 A. Yes.</p> <p>11 Q. Which sails were up?</p> <p>12 A. The headsail.</p> <p>13 Q. Were there any reefs in the headsail during this</p> <p>14 period?</p> <p>15 A. Not that I can recall.</p> <p>16 Q. Were you on the port or starboard tack during</p> <p>17 that period?</p> <p>18 A. Port.</p> <p>19 Q. Were both of the vessel's engines in use during</p> <p>20 that entire period?</p> <p>21 A. Yes.</p> <p>22 Q. What was the average RPM of the vessel's engines</p> <p>23 during that period?</p> <p>24 A. I don't know.</p>
<p style="text-align: right;">Page 142</p> <p>1 period?</p> <p>2 A. I don't know.</p> <p>3 Q. What was the general direction of the wind during</p> <p>4 that period?</p> <p>5 A. East/northeast.</p> <p>6 Q. What was the average speed of the wind during</p> <p>7 that period?</p> <p>8 A. I don't know.</p> <p>9 Q. What was the gusting speed of the wind during</p> <p>10 that period?</p> <p>11 A. I don't know.</p> <p>12 Q. What was the average height of the waves or</p> <p>13 swells during that period?</p> <p>14 A. I don't know.</p> <p>15 Q. What was the average interval between the waves</p> <p>16 or swells -- excuse me.</p> <p>17 What was the average length of time between</p> <p>18 each wave or swell during that period?</p> <p>19 A. I don't know.</p> <p>20 Q. What was the general direction of the waves or</p> <p>21 swells during that period?</p> <p>22 A. I don't know.</p> <p>23 Q. What was the general direction of the current</p> <p>24 during that period?</p>	<p style="text-align: right;">Page 144</p> <p>1 Q. What was the maximum RPM at which the vessel's</p> <p>2 engines were operating during that period?</p> <p>3 A. I don't know.</p> <p>4 Q. Were you at the steering station at all during</p> <p>5 that period?</p> <p>6 A. I can't remember.</p> <p>7 Q. Was Ron at the steering station at all during</p> <p>8 that period?</p> <p>9 A. I can't remember.</p> <p>10 Q. Was anyone at the steering station at any time</p> <p>11 during that period?</p> <p>12 A. Yes.</p> <p>13 Q. Who?</p> <p>14 A. I don't remember.</p> <p>15 Q. Well, if you don't remember, how do you know</p> <p>16 someone was at the steering station?</p> <p>17 A. Is that a question?</p> <p>18 Q. Yeah. You answered that someone was at the</p> <p>19 steering station.</p> <p>20 A. Yeah, one of us were at --</p> <p>21 Q. There's only two of you.</p> <p>22 A. Huh?</p> <p>23 Q. There's only two of you, and you answered that</p> <p>24 someone was at the steering station during that</p>

<p style="text-align: right;">Page 145</p> <p>1 period.</p> <p>2 Which one of you?</p> <p>3 A. I do not recall.</p> <p>4 Q. Then how do you recall that someone was there?</p> <p>5 A. I don't know if that is a question.</p> <p>6 Q. It is a question. Please answer it.</p> <p>7 A. One of us was always there. I don't recall</p> <p>8 exactly what time we both were there. One at a</p> <p>9 time.</p> <p>10 I don't recall all these hours. This is</p> <p>11 one-and-a-half years ago.</p> <p>12 Q. I understand. Do you remember -- were both of</p> <p>13 you ever at the steering station during that</p> <p>14 period?</p> <p>15 A. Say that again.</p> <p>16 Q. Were -- during the period of 9:00 in the morning</p> <p>17 to 10:00 in the morning on the 15th, was there</p> <p>18 ever a moment when both of you were at the</p> <p>19 steering station?</p> <p>20 A. I don't remember.</p> <p>21 Q. All right.</p> <p>22 (Court reporter interrupted.)</p> <p>23 MS. NIEMEYER: Thank you, Karen.</p> <p>24 MR. GOLDMAN: Michelle, did you have an</p>	<p style="text-align: right;">Page 147</p> <p>1 want it on the record.</p> <p>2 MS. NIEMEYER: Can you accept a stipulation</p> <p>3 that he doesn't have specific knowledge of</p> <p>4 incremental time frames during the voyage?</p> <p>5 MR. GOLDMAN: I'll tell what you I'm willing</p> <p>6 to do.</p> <p>7 I'm willing to start again with the list, and</p> <p>8 I'm willing to ask each question; and if he</p> <p>9 answers that he doesn't remember, I'll ask is</p> <p>10 that the same answer you would give from that</p> <p>11 period -- we're at 9:00 in the morning on the</p> <p>12 15th -- is that the same answer you would give</p> <p>13 from 9:00 in the morning until the loss occurred?</p> <p>14 MS. NIEMEYER: Before you speak, Martin, I</p> <p>15 think the problem we're having here is that the</p> <p>16 level of specificity you're asking for is hard to</p> <p>17 remember for anyone, and to ask him whether he</p> <p>18 remembers that would -- obviously things happened</p> <p>19 and we can narrow it down to roughly when</p> <p>20 Mr. Andersson believes things happened, but I</p> <p>21 think he's made it pretty clear that when you get</p> <p>22 down to specific times he really doesn't remember</p> <p>23 that for a lot of these things.</p> <p>24 MR. GOLDMAN: And I'm willing to forgo that</p>
<p style="text-align: right;">Page 146</p> <p>1 objection?</p> <p>2 MS. NIEMEYER: Yes, I did have an objection</p> <p>3 and, I'm sorry, I didn't realize I wasn't being</p> <p>4 heard.</p> <p>5 My objection just has to go to the fact that</p> <p>6 Mr. Andersson has stated numerous times now on</p> <p>7 the record that one of the two of them was always</p> <p>8 at the steering station. So he -- he's -- he's</p> <p>9 answered the question in a multitude of contexts.</p> <p>10 I'm being lenient here. You're allowed to</p> <p>11 ask whatever questions you want, but, frankly,</p> <p>12 this line of questioning and the way it's being</p> <p>13 made is doing nothing but creating confusion and</p> <p>14 exhaustion and frustration.</p> <p>15 MR. GOLDMAN: If it makes everybody feel any</p> <p>16 better, once we're done with these time periods,</p> <p>17 I'll ask more general questions that he might be</p> <p>18 able to answer.</p> <p>19 MS. NIEMEYER: So, Michael, are you planning</p> <p>20 to answer -- are you planning to ask these same</p> <p>21 questions for every hour over three days?</p> <p>22 MR. GOLDMAN: Yes, absolutely.</p> <p>23 If he doesn't know -- if he doesn't remember</p> <p>24 anything from any period during this voyage, I</p>	<p style="text-align: right;">Page 148</p> <p>1 if he will stipulate that -- I'll ask more</p> <p>2 general questions if he'll stipulate that in</p> <p>3 response to every single one of these specific</p> <p>4 ones he cannot remember. Because we've gotten to</p> <p>5 ones where he's given more specific answers.</p> <p>6 Earlier when we got to when the course change</p> <p>7 was made, it took some -- he's given some</p> <p>8 different answers, but he's generally nailed down</p> <p>9 the approximate time he made that course change.</p> <p>10 If he can stipulate that his answer will be</p> <p>11 the same to all of these, I'm willing to forgo</p> <p>12 them; but I don't think he's going to because I</p> <p>13 think there's another course change coming.</p> <p>14 MS. NIEMEYER: Of course. And, Michael, I</p> <p>15 guess what I'm getting to is if the question is</p> <p>16 asked differently, you can probably get to that</p> <p>17 without having to spend another five hours asking</p> <p>18 incremental questions.</p> <p>19 We won't finish this deposition today if --</p> <p>20 MR. GOLDMAN: We won't.</p> <p>21 MS. NIEMEYER: -- you keep asking these</p> <p>22 questions, and, you know, I don't think it's</p> <p>23 really fair to my client or to everybody sitting</p> <p>24 here if this is going to be what happens all day</p>

Page 149

1 today.

2 If Mr. Andersson is asked can you tell us
3 when exactly something happened, and he says no;
4 and you say can you give us an approximate time
5 of when this happened, he may be able to answer
6 that question.

7 But to say did this happen during this hour;
8 did this happen during this hour or that hour;
9 was it light outside; was it dark outside; was --
10 was it morning or night on a sea voyage, may be a
11 more relevant kind of question to be asking.

12 MR. GOLDMAN: I'm willing to try that, and
13 let's see what happens; and if it doesn't work,
14 I'm going back to the hour increments.

15 BY MR. GOLDMAN:

16 **Q. All right. Let's try this. Mr. Andersson, let's**
17 **start again at 09:00 and see if we can do this**
18 **differently.**

19 **Do you remember your vessel's course --**
20 **approximate course at 9:00 in the morning on**
21 **December 15th?**

22 MS. NIEMEYER: Objection. We've already had
23 that asked and answered.

24 MR. GOLDMAN: I know.

Page 151

1 **North, south, east, west.**

2 A. Well, so if I was steering 55, which is northeast
3 almost, 45 is northeast, I was steering more
4 northerly, but it was not much.

5 I mean, as little as I could get away with.

6 **Q. All right. But until that course change, am I**
7 **correctly understanding you that your course**
8 **remained -- from 9:00 until that course change,**
9 **your course remained approximately 55 degrees?**
10 **Do I understand that correctly?**

11 A. Yes.

12 **Q. Between 9:00 in the morning and the time of that**
13 **course change sometime in the afternoon, what was**
14 **your vessel's average speed?**

15 A. I honestly can't tell you. I don't know exactly
16 the speed because we had both sails and engine
17 going.

18 **Q. I understand. Can you approximate to within 5**
19 **knots?**

20 A. It's difficult to do that, you know, because, as
21 you said, I didn't know what the current was. If
22 it was with us, it would be more; if it was
23 against us, it would be less.

24 So I would -- I can't commit myself to an

Page 150

1 **Q. Please answer, Mr. Andersson.**

2 A. Approximately 55 degrees.

3 **Q. For how long after 9:00 in the morning did your**
4 **course remain unchanged from 50- -- from**
5 **approximately 55 degrees?**

6 A. If I recall this correctly, it was during the day
7 that the wind picked up. I don't know exactly
8 how much.

9 My statement that I signed it was I don't
10 know when that was, when the wind picked up and
11 the swell and all that, but it was during the
12 afternoon; and that's also in the beginning
13 when -- when -- when Ron was feeling queasy and
14 got -- got sort of seasick there.

15 So sometime in the afternoon there, I changed
16 the course a little bit to go a little bit more
17 north.

18 **Q. What course did you change to?**

19 A. I don't remember that exactly, but more towards
20 the 50, you know, like -- as little as I had
21 to.

22 **Q. Can you give me a -- without giving me an exact**
23 **or even approximate bearing, can you give me a**
24 **point on the compass that you changed course to?**

Page 152

1 approximate -- approximate speed unfortunately.

2 **Q. Can you even -- I'll ask just a little more**
3 **specifically to be sure.**

4 **Can you even say if it was less or more than**
5 **10 knots?**

6 A. It was less. As my -- for my -- to the best of
7 my knowledge.

8 **Q. To the best of your knowledge, can you**
9 **approximate at all was it more than 5 knots?**

10 A. To the best of my knowledge, yes.

11 **Q. So am I --**

12 A. But it's -- anyway. Yeah, okay.

13 **Q. So am I understanding you correctly to the best**
14 **of your knowledge between 9:00 in the morning on**
15 **the 15th and sometime that afternoon when you**
16 **changed course, your vessel -- your vessel's**
17 **average speed was between 5 and 10 knots; is that**
18 **correct?**

19 A. I don't really know. You know, I -- it's -- it's
20 difficult to answer just -- you narrow it down.
21 It shouldn't be, but, hey.

22 **Q. All right. Between 9:00 in the morning on the**
23 **15th and that time in the afternoon when you**
24 **changed course, do you remember the general**

<p style="text-align: right;">Page 153</p> <p>1 direction of the wind?</p> <p>2 A. If I -- if I remember it correctly, it started to</p> <p>3 go more northeasterly. Instead of easterly it</p> <p>4 sort of -- I don't know what, if it's veering or</p> <p>5 backing; that it actually became more</p> <p>6 northeasterly than easterly.</p> <p>7 If I recall that, because that -- that was</p> <p>8 the reason why I had to -- to change the course a</p> <p>9 little bit.</p> <p>10 Q. Between 9:00 a.m. and whatever time in the</p> <p>11 afternoon you changed course, do you remember the</p> <p>12 average speed of the wind?</p> <p>13 A. No. I just know it picked up in the midday</p> <p>14 sometime if I remember it correctly.</p> <p>15 Q. Was it more or less than 10 knots, in your</p> <p>16 estimation?</p> <p>17 A. The wind?</p> <p>18 Q. The wind.</p> <p>19 A. The wind was much more than 10.</p> <p>20 Q. Was it --</p> <p>21 A. During the day it increased, and I don't -- I</p> <p>22 can't remember exactly, but it was -- it was -- I</p> <p>23 don't know. I don't know.</p> <p>24 I don't know what the -- it was -- yes,</p>	<p style="text-align: right;">Page 155</p> <p>1 average speed greater than or less than 20 knots?</p> <p>2 A. That I can't recall. I'm not sure.</p> <p>3 Q. Can you estimate at all?</p> <p>4 A. Well, it was more than 15 and the gusts would</p> <p>5 have been more than 20. And that's to my</p> <p>6 recollection. I mean --.</p> <p>7 Q. That's all we can ask, the best of your</p> <p>8 recollection, sir.</p> <p>9 From 9:00 in the morning on 12/15 until the</p> <p>10 time that you made this course correction, can</p> <p>11 you tell me what the average height of the waves</p> <p>12 or the swells were?</p> <p>13 A. I can't tell you the average height, but they did</p> <p>14 increase.</p> <p>15 Q. What was the maximum height of any of the waves</p> <p>16 or swells during that period?</p> <p>17 A. I'm not -- I'm not sure exactly how high, but</p> <p>18 they were increasing.</p> <p>19 Q. Were the swells -- after the time they had</p> <p>20 increased, were the swells more or less than a</p> <p>21 foot high?</p> <p>22 A. Oh, more.</p> <p>23 Q. Were the swells more or less than 2 feet high?</p> <p>24 A. Yes. And we can go on with this, but I don't</p>
<p style="text-align: right;">Page 154</p> <p>1 Sunday afternoon it increased and it became 20,</p> <p>2 25, I think, knots.</p> <p>3 Q. What day -- what is the date of Sunday?</p> <p>4 A. The date of Sunday?</p> <p>5 Q. You said Sunday, but we've been using dates;</p> <p>6 December 15th, et cetera.</p> <p>7 A. 15th. 15th.</p> <p>8 Q. So can you approximate for me what time in the</p> <p>9 afternoon on the 15th the wind speed increased?</p> <p>10 A. I can't tell -- say exactly time, but it is -- it</p> <p>11 was during that time period.</p> <p>12 Not early in the morning but during the day.</p> <p>13 That's all I remember, but I don't know what</p> <p>14 time.</p> <p>15 Q. Was it afternoon?</p> <p>16 A. The wind speed picked up before the wind</p> <p>17 direction, I think. If I recall that correctly.</p> <p>18 I don't know.</p> <p>19 But, yes, it was afternoon.</p> <p>20 Q. Was it before 6:00 in the evening?</p> <p>21 A. Yes. I think so. It's very difficult to know</p> <p>22 all these times; not -- even if it's three, four,</p> <p>23 five hours.</p> <p>24 Q. When the wind picked up in the afternoon, was the</p>	<p style="text-align: right;">Page 156</p> <p>1 know exactly how high.</p> <p>2 Q. I'm not asking you exactly how high.</p> <p>3 Were they more or less than 3 feet high?</p> <p>4 A. Yes.</p> <p>5 Q. Were they more or less than 4 feet high?</p> <p>6 A. Yes.</p> <p>7 Q. Were they more or less than 5 feet high?</p> <p>8 A. Yes.</p> <p>9 Q. Hold on a minute.</p> <p>10 Were they more than 5 feet high?</p> <p>11 A. Yes.</p> <p>12 Q. Were the average height of the swells more than 6</p> <p>13 feet high?</p> <p>14 A. During what time period we're talking about now?</p> <p>15 Afternoon?</p> <p>16 Q. The period of 9:00 in the morning until whatever</p> <p>17 time in the afternoon you executed the course</p> <p>18 change.</p> <p>19 A. Yeah, in the afternoon it was a little bit higher</p> <p>20 than 6 feet, I think.</p> <p>21 Q. Was the average height higher than 7 feet?</p> <p>22 A. I don't know.</p> <p>23 Q. During the period from 9:00 in the morning until</p> <p>24 the course change was executed, what was the</p>

<p style="text-align: right;">Page 157</p> <p>1 average length of time between each wave or</p> <p>2 swell?</p> <p>3 A. I do not know that.</p> <p>4 Q. At the time you executed the course change, what</p> <p>5 was the average height -- excuse me, what was the</p> <p>6 average length of time between each wave or</p> <p>7 swell?</p> <p>8 A. I don't know. I never timed that.</p> <p>9 Q. During the period from 9:00 in the morning on the</p> <p>10 15th until whatever time the course change was</p> <p>11 executed, what was the direction of the waves or</p> <p>12 swells?</p> <p>13 A. To my knowledge and recollection, it was</p> <p>14 westerly. Westerly -- yeah, westerly, I would</p> <p>15 say.</p> <p>16 Q. During the period from 9:00 in the morning on the</p> <p>17 15th until you executed the course change, what</p> <p>18 was the general direction of the current?</p> <p>19 A. I don't know.</p> <p>20 Q. Do you know if the direction of the current</p> <p>21 changed at all during that period?</p> <p>22 A. No, I do not.</p> <p>23 Q. During that same period, which is 9:00 in the</p> <p>24 morning on the 15th until the course change was</p>	<p style="text-align: right;">Page 159</p> <p>1 little ties and you'd bring the sail down a bit</p> <p>2 and you'd make it smaller.</p> <p>3 MR. GOLDMAN: That's my understanding.</p> <p>4 MS. NIEMEYER: Mr. Andersson just spoke of</p> <p>5 bringing it in a bit, because I'm assuming, and I</p> <p>6 think it's just easier for the record and for</p> <p>7 people to understand, that there may have been a</p> <p>8 furling system of some sort that allowed the</p> <p>9 headsail to be minimized very gradually; not like</p> <p>10 a reef tie.</p> <p>11 It's a whole different process.</p> <p>12 BY MR. GOLDMAN:</p> <p>13 Q. Mr. Andersson, let me ask this question.</p> <p>14 What do you understand a reef in the headsail</p> <p>15 to mean?</p> <p>16 A. Well, I -- I know that you call yourself a</p> <p>17 landlubber; so I guess I went along with your</p> <p>18 terminology, and I said I reduced. I rolled it</p> <p>19 in I said. I reduced the headsail.</p> <p>20 Q. How much did you reduce the headsail?</p> <p>21 A. I don't recall exactly, but a little bit because</p> <p>22 I still could sail it.</p> <p>23 Q. During that period from 9:00 in the morning on</p> <p>24 the 15th until the time that you executed the</p>
<p style="text-align: right;">Page 158</p> <p>1 executed, do you know the average speed of the</p> <p>2 current?</p> <p>3 A. No, I do not.</p> <p>4 Q. During that same period, did you make any entry</p> <p>5 in the vessel's logbook?</p> <p>6 A. No, nothing in addition to the GPS.</p> <p>7 Q. Were the vessel's sails up at all during that</p> <p>8 period?</p> <p>9 A. Yes, the headsail.</p> <p>10 Q. Was the headsail up the entire period?</p> <p>11 A. Yes.</p> <p>12 Q. Were there any reefs in the headsail during that</p> <p>13 period?</p> <p>14 A. I'm not sure exactly when, but I did roll in the</p> <p>15 headsail a little bit when the wind started to</p> <p>16 whip a little bit too much.</p> <p>17 Q. But the headsail remained up?</p> <p>18 A. Yes. You can make a note that it remained up the</p> <p>19 whole voyage.</p> <p>20 MS. NIEMEYER: I'm going to ask that we have</p> <p>21 a -- a clarification of sorts on the record.</p> <p>22 MR. GOLDMAN: Go ahead.</p> <p>23 MS. NIEMEYER: Michael, you're speaking of</p> <p>24 reefs, which in nautical terms generally are</p>	<p style="text-align: right;">Page 160</p> <p>1 course change, were you on the port or the</p> <p>2 starboard tack?</p> <p>3 A. Port.</p> <p>4 Q. During that same period, were both the vessel's</p> <p>5 engines in operation?</p> <p>6 A. Yes.</p> <p>7 Q. During that same period, what was the average RPM</p> <p>8 of the engines?</p> <p>9 A. I do not recall that.</p> <p>10 Q. During that same period, what is the maximum RPM</p> <p>11 at which the vessel's engines were operating?</p> <p>12 A. Say that again.</p> <p>13 Q. During that period, from 9:00 in the morning</p> <p>14 until whatever time this course change was</p> <p>15 executed, what was the maximum RPM at which the</p> <p>16 vessel's engines were operating?</p> <p>17 A. I don't know. I don't recall that.</p> <p>18 Q. Were you at the helm of the vessel at any time</p> <p>19 during that period?</p> <p>20 A. During 9:00 to the change of course? Yes.</p> <p>21 Q. Yes. Was Ron at the helm at any time during that</p> <p>22 period?</p> <p>23 A. Yes. And at the helm we mean the same thing as I</p> <p>24 explained before; right? We're not actually</p>

<p style="text-align: right;">Page 161</p> <p>1 steering the boat.</p> <p>2 Q. I think we just spoke over each other; so just to</p> <p>3 be clear, tell me what you mean by at the helm.</p> <p>4 A. At the helm in this case is that we're sitting at</p> <p>5 the starboard steering station where the radar</p> <p>6 and the GPS is located; so that's where we sit</p> <p>7 and monitor that when we are on watch.</p> <p>8 And if that goes -- if Ron was on watch and I</p> <p>9 was asleep in the salon and the -- it went blink</p> <p>10 there where something went out of course, then he</p> <p>11 could just wake me up and I could go up and fix</p> <p>12 it.</p> <p>13 Q. So he -- so by your understanding, he was sitting</p> <p>14 at the steering station, at the helm, at some</p> <p>15 point during that period?</p> <p>16 A. Yes. But not steering the boat.</p> <p>17 Q. I understand.</p> <p>18 MR. GOLDMAN: Just one moment. I'm sorry, I</p> <p>19 need just a moment. Just pause.</p> <p>20 No need to go off the record. I'll be right</p> <p>21 back.</p> <p>22 MS. NIEMEYER: Mr. Andersson, are you getting</p> <p>23 tired? Is this a good time to take a short</p> <p>24 break?</p>	<p style="text-align: right;">Page 163</p> <p>1 THE WITNESS: Accurate.</p> <p>2 MR. GOLDMAN: Splendid. Michelle, do you</p> <p>3 have anything to add?</p> <p>4 MS. NIEMEYER: No, just that, Michael, I --</p> <p>5 Mr. Andersson brought this up and asked if he</p> <p>6 should correct it, and in very early testimony he</p> <p>7 said the wind was coming from the starboard and</p> <p>8 if you're a sailor, that's a port tack.</p> <p>9 And I -- it struck me as a little weird, but</p> <p>10 I thought maybe at some point he had changed</p> <p>11 direction.</p> <p>12 I wasn't going to interfere with that, but he</p> <p>13 brought it up and it appears and I think we just</p> <p>14 need to clarify that at least from the entire</p> <p>15 time from the course change to our present</p> <p>16 questioning the boat was always on a starboard</p> <p>17 tack.</p> <p>18 MR. GOLDMAN: Okay.</p> <p>19 MS. NIEMEYER: With the wind coming from</p> <p>20 starboard and the boom on the port side; correct?</p> <p>21 THE WITNESS: Yes.</p> <p>22 MS. NIEMEYER: Okay.</p> <p>23 MR. GOLDMAN: Is there anything else we need</p> <p>24 to say, either question asked or question</p>
<p style="text-align: right;">Page 162</p> <p>1 THE WITNESS: I am exhausted.</p> <p>2 MR. GOLDMAN: All right. A short break is</p> <p>3 fine with me.</p> <p>4 THE WITNESS: Okay.</p> <p>5 MS. NIEMEYER: Thank you.</p> <p>6 (Recess was taken from 1:49 p.m. until 1:58 p.m.)</p> <p>7 THE WITNESS: So I referred to my situation</p> <p>8 as being very stressful here; so I've been giving</p> <p>9 you the wrong tack when sailing up.</p> <p>10 So it should be starboard tack. I don't know</p> <p>11 where I am.</p> <p>12 MR. GOLDMAN: Okay. So we are on the record</p> <p>13 here? Okay.</p> <p>14 I'm going to repeat what I think I</p> <p>15 understand, and you tell me if I'm accurate; and,</p> <p>16 Michelle, you tell me if I've gotten it right.</p> <p>17 MS. NIEMEYER: Okay.</p> <p>18 MR. GOLDMAN: I'm remembering correctly at</p> <p>19 every single iteration, I have asked which tack,</p> <p>20 and you have answered port tack.</p> <p>21 However, you are saying that -- you're not</p> <p>22 changing your testimony; you are merely saying</p> <p>23 that you misspoke; you meant the starboard tack;</p> <p>24 is that correct?</p>	<p style="text-align: right;">Page 164</p> <p>1 answered, that you feel is necessary to clarify</p> <p>2 this issue?</p> <p>3 MS. NIEMEYER: Mr. Andersson, you can't just</p> <p>4 shake your head; you need to say yes or no.</p> <p>5 THE WITNESS: Oh, I'm sorry. No, I don't</p> <p>6 have any.</p> <p>7 MR. GOLDMAN: Okay. Karen, can you please</p> <p>8 read back my last question.</p> <p>9 (The requested portion was read back by the</p> <p>10 reporter.)</p> <p>11 MR. GOLDMAN: Thank you. I'll be back with</p> <p>12 my next question in just 30 seconds.</p> <p>13 BY MR. GOLDMAN:</p> <p>14 Q. All right. During that period between 9:00 in</p> <p>15 the morning on the 15th and whatever time in the</p> <p>16 afternoon there was a course change, were you</p> <p>17 navigating the vessel at any time?</p> <p>18 A. Can you clarify that question. What do you mean</p> <p>19 by navigating it?</p> <p>20 Q. Your definition.</p> <p>21 A. Your definition.</p> <p>22 MS. NIEMEYER: Mr. Goldman, you're asking the</p> <p>23 questions.</p> <p>24 Can you clarify what you mean by were you</p>

Page 165

1 navigating the vessel.

2 MR. GOLDMAN: Yes, of course, I will.

3 BY MR. GOLDMAN:

4 **Q. To navigate is defined as to plan and direct the**
 5 **route or the course of the ship.**

6 **At any time during that period from 9:00 a.m.**
 7 **on the 15th until the time of the course change,**
 8 **were you ever navigating the vessel?**

9 A. I want you to read that to me again.

10 **Q. I certainly will, sir.**

11 MR. GOLDMAN: And, Michelle, just for
 12 clarification, I'm reading from the New
 13 American -- "New Oxford American Dictionary" from
 14 2005, and there are other definitions that are
 15 not relevant, for instance as you -- in a
 16 zoological sense.

17 I am reading the only one which is relevant
 18 to our particular circumstances, but if you'd
 19 like, I can put the whole thing on the record.

20 MS. NIEMEYER: No, that's fine. Just reread
 21 what you said, which is a navigation in an
 22 admiralty context.

23 MR. GOLDMAN: I won't say -- it's not a --

24 MS. NIEMEYER: It's not a legal definition,

Page 167

1 again, I will specify if I'm using a different
 2 definition.

3 MS. NIEMEYER: Perhaps we could use the word
 4 steering to mean turning the boat as opposed
 5 to --

6 MR. GOLDMAN: I'll consider it. I'll see as
 7 the question comes. I will endeavor to be clear
 8 with what I mean.

9 MS. NIEMEYER: Okay.

10 BY MR. GOLDMAN:

11 **Q. So under that definition that I just read, were**
 12 **you navigating the vessel at all at any time**
 13 **between 9:00 in the morning on the 15th and**
 14 **whatever time in the afternoon the course change**
 15 **occurred?**

16 A. You know what, I'm sorry to nitpick here, but
 17 when you say did I navigate or -- at any moment,
 18 it was entered into the autopilot; so I only
 19 monitored the autopilot.

20 So, A, I planned where to go and I put it
 21 into the autopilot, and then I monitored it.

22 **Q. Okay.**

23 A. But I did not like navigate between islands or
 24 between boats, other boats or other traffic. I

Page 166

1 but it's a dictionary definition of navigate.

2 MR. GOLDMAN: That's correct. Okay. And
 3 don't misunderstand, I'm not going to -- well,
 4 anyway.

5 BY MR. GOLDMAN:

6 **Q. To navigate as I am using it, To plan and direct**
 7 **the route or course of a ship, aircraft, or other**
 8 **form of transportation.**

9 MS. NIEMEYER: Mr. Goldman, before we rely
 10 upon that rather unclear definition, when you say
 11 to -- to plan or direct and -- the word direct in
 12 that, are you including steering, or are you
 13 including just making the plan or making the
 14 decisions about the plan?

15 MR. GOLDMAN: As I am using it, I think I am
 16 only using the latter definition.

17 MS. NIEMEYER: Okay. So, Mr. Andersson, are
 18 you clear on that? That the meaning is about
 19 planning the direct -- the route for the boat?

20 THE WITNESS: Planning and directing, yes.

21 MS. NIEMEYER: Okay.

22 MR. GOLDMAN: Very good.

23 And whenever I -- unless I say otherwise, if
 24 I -- I'm going to ask that navigation question

Page 168

1 just did that.

2 So that's why it is tricky for me to answer.

3 **Q. I understand. I think that does answer my**
 4 **question.**

5 **So with reference to those things you just**
 6 **named, did Ron ever do anything to navigate the**
 7 **vessel between 9:00 in the morning on the 15th**
 8 **and whatever time in the afternoon there was a**
 9 **course change?**

10 A. No.

11 **Q. I'm sorry. You cut out. Can you repeat that.**

12 A. No.

13 **Q. Splendid. Thank you. Between that time of 9:00**
 14 **in the morning and that time in the afternoon on**
 15 **the 15th, were you acting as lookout at any time?**

16 A. Yes.

17 **Q. Was Ron acting as lookout at any time?**

18 A. Yes.

19 **Q. Did you sleep at any time during 9:00 in the**
 20 **morning and that afternoon on the 15th?**

21 A. 9:00 and then -- yes.

22 **Q. Do you know where Ron was during the time that**
 23 **you were asleep?**

24 A. He was sitting on the starboard steering station

1 where the GPS and radar is.

2 **Q. Can you please describe for me what instruments**

3 **are at the starboard steering station.**

4 A. There is a loudspeaker for the VHF so you hear

5 that. There is a radar screen and the GPS.

6 **Q. What controls are there for the operation of the**

7 **vessel?**

8 A. You can -- you can discontinue the autopilot and

9 put it on manual, you can do right there.

10 **Q. Is there a throttle at that station?**

11 A. There are two throttles.

12 **Q. Is there a steering wheel at that station?**

13 A. Yes.

14 **Q. Is there anything at that station that can**

15 **manipulate the sails?**

16 A. No.

17 **Q. Between the period of 9:00 in the morning on the**

18 **15th and whatever time that afternoon the course**

19 **change was executed, was Ronald Naranjo -- is it**

20 **Naranja or Naranjo?**

21 A. Naranjo.

22 **Q. Was Ronald Naranjo seasick at any time during**

23 **that period?**

24 A. He was becoming queasy during the day. I don't

1 **was executed?**

2 A. As far as we understood, yes.

3 **Q. Were the GPS units functioning during that**

4 **period?**

5 A. Yes.

6 **Q. At the time the course change was executed, do**

7 **you know -- can you give any approximation as to**

8 **how many miles you were from Aruba?**

9 A. No, I cannot. I cannot. I cannot. That's a

10 tough -- I mean, I -- -- no, I can't.

11 I'm sorry. I can't remember it.

12 **Q. Can you give any estimation at all as to how far**

13 **you were from any point of land?**

14 A. No, not really. I mean, that would be -- Aruba

15 was -- would probably be -- still be the

16 nearest -- I'm not sure. I'm not sure of that

17 question.

18 MS. NIEMEYER: I'm going to remind my client

19 not to guess.

20 THE WITNESS: Okay. I'm not guessing.

21 BY MR. GOLDMAN:

22 **Q. I'm never asking you to guess, just to give a**

23 **better --**

24 A. I know.

1 know exactly when.

2 **Q. Was it before the course change was executed?**

3 A. He was queasy before, but not seasick as such.

4 If I -- that's what my recollection is.

5 **Q. Beyond saying that he was queasy, can you**

6 **describe any of his other symptoms?**

7 A. No, just queasy. He felt, you know, like

8 nauseous.

9 **Q. Was anything done to treat his symptoms?**

10 A. No.

11 **Q. Was he able to eat or drink?**

12 A. We ate -- during the day, you eat a little bit

13 every now and then, yes; he did eat, yes.

14 **Q. Was he administered any medication?**

15 A. No.

16 **Q. Was the vessel's radar on at any time during that**

17 **period of 9:00 in the morning until the afternoon**

18 **when the course change was executed?**

19 A. Yes.

20 **Q. The entire time?**

21 A. Yes.

22 **Q. Was the vessel's VHF radio functioning the entire**

23 **time between 9:00 in the morning on the 15th and**

24 **whatever time in the afternoon the course change**

1 **Q. If you have any knowledge that might inform an**

2 **estimate, but of course never guess.**

3 **During that period from 9:00 in the morning**

4 **on the 15th until the time that the course change**

5 **was executed, did you make any contact with the**

6 **shore?**

7 A. Not to my knowledge, no.

8 **Q. Was the autopilot on during that entire period?**

9 A. Yes.

10 **Q. Did you use the autopilot to make the course**

11 **correction?**

12 A. In the afternoon, yes, I -- that's what I used to

13 change. You can change it on the autopilot

14 itself.

15 MR. GOLDMAN: Since we seem to make such good

16 progress with the time, I need to pause for just

17 a moment, go on mute, and check a note; and then

18 we will continue from there.

19 (Pause in the proceedings.)

20 BY MR. GOLDMAN:

21 **Q. Am I remembering correctly that you made your**

22 **next course change sometime in the afternoon on**

23 **December 15th?**

24 A. Correct.

Page 173

Q. Do you recall if that was before 6:00 p.m. on the 15th?

MS. NIEMEYER: Before you answer that question, Mr. Goldman, I just want to make sure the record is absolutely clear.

When you say you made the next course change, are you referring to -- there was a course change when Mr. Andersson rounded the eastern point of Aruba and he went to 55 degrees.

Is this the next course change you're talking about?

MR. GOLDMAN: Yes. As I understand it up to now, up to this moment I have gotten to, he has been on a course of approximately 55 degrees, and I am asking -- I'm trying to ascertain the approximate time that he changed course from 55 degrees.

Is that your understanding as well, Michelle?

MS. NIEMEYER: Yeah. I just wanted to make sure it was clear because when you said your next course change, it's not really clear what we're talking about.

MR. GOLDMAN: Okay. I'll ask it even more specific.

Page 175

BY MR. GOLDMAN:

Q. You can answer, Mr. Andersson.

A. I don't recall exactly what course I ended up with.

Q. Can you tell me approximately what point on the compass you were headed towards when you finished executing your course change?

MS. NIEMEYER: Objection to form.

The compass point would be the same thing.

Q. By compass point, I mean not the degree on a 360-degree compass but north, south, east, west, et cetera.

A. So it's -- if I understand the question right, which I doubt here because we're -- I mean, degrees is what you use, and that's more exact than north and east, but -- so put it this way then. If this is going to work, it was more northerly than the 55, but it was not north.

The degrees is what you should use.

Q. Can you tell me in degrees?

A. Well, I told you. Like I said, I usually do 5 degrees; as little as I can get away with. And that's what I used to do.

Q. At midnight on the night of

Page 174

BY MR. GOLDMAN:

Q. Mr. Andersson, am I remembering correctly that sometime in the afternoon of the 15th you executed a course change from 55 -- approximately 55 degrees to another course; is that correct?

A. Correct.

Q. Okay. Was that before or after -- if you remember at all, before or after 6:00 p.m. on the 15th?

A. I'm not sure.

Q. Was it before -- was it before or after sunset on the 15th?

A. To my recollection, it was before sunset.

Q. I'll ask a specific question; then a general one. Do you recall exactly what degree you set the new course for?

A. Well, if my memory serves me, I would always do as little as possible to make headway in the direction I want to go; so I probably did maybe 5 degrees to begin with. So from 55 to 50.

Q. Now, you said "to begin with." What course did you end with when you completed making your course change?

MS. NIEMEYER: Objection to form.

Page 176

December 15th-December 16th, what was your course?

A. At some point, but I don't know when, I actually went a little bit further north towards the northern -- more northerly course, and that's what I did, yeah.

But I don't exactly know how many degrees again because it's all by feeling to see where the wind is.

Q. Did you look at your vessel's compass at any time between sunset and midnight on the 15th-16th?

A. Yes.

Q. What did your -- at what point did you look at the compass?

A. I don't know. You look at it all the time because it's a compass there at the steering station too, with the radar and everything. So you see everything.

Q. Do you remember at any point between sunset and midnight what the -- what the bearing was on your compass?

A. No. Not exactly, no.

Q. Do you remember between sunset and midnight on the 15th-16th what was your vessel's average

<p style="text-align: right;">Page 177</p> <p>1 speed?</p> <p>2 A. Again, that's difficult to say. I -- I ran the</p> <p>3 sail -- the headsail slightly reduced and then</p> <p>4 both engines.</p> <p>5 Q. Was your average speed greater than 5 knots --</p> <p>6 A. Yes.</p> <p>7 Q. -- to your best estimation?</p> <p>8 A. Yes. To my best estimation, yes.</p> <p>9 Q. Let me repeat the whole thing because we spoke</p> <p>10 over each other for just a moment. I want to</p> <p>11 make sure the record is correct.</p> <p>12 Without guessing, to your best estimation,</p> <p>13 was your speed during that period greater than 5</p> <p>14 knots?</p> <p>15 A. To my best estimation, yes.</p> <p>16 Q. To your best estimation during that same period,</p> <p>17 was your speed greater than or less than 10</p> <p>18 knots?</p> <p>19 A. To my best estimation, it is less.</p> <p>20 Q. Can you refresh my recollection, why did you make</p> <p>21 that course change that afternoon?</p> <p>22 A. Because the wind changed. As I said before, the</p> <p>23 wind changed from more easterly to more</p> <p>24 northeasterly.</p>	<p style="text-align: right;">Page 179</p> <p>1 At the time you decided to execute a course</p> <p>2 change, could you have safely navigated to any</p> <p>3 other point of land to your southeast that was</p> <p>4 not Venezuela?</p> <p>5 MS. NIEMEYER: I'm going to ask for a</p> <p>6 clarification here.</p> <p>7 When you're talking about this course change,</p> <p>8 you're talking about the one that happened</p> <p>9 somewhere around sunset?</p> <p>10 Is that what you're talking about?</p> <p>11 MR. GOLDMAN: My recollection -- just a</p> <p>12 moment. Let's go off the record.</p> <p>13 (Pause in the proceedings.)</p> <p>14 BY MR. GOLDMAN:</p> <p>15 Q. At the time, Mr. Andersson, that you executed</p> <p>16 this course change before sunset on the 15th,</p> <p>17 could you have safely navigated your vessel to</p> <p>18 any point of land to the southeast that was not</p> <p>19 Venezuela?</p> <p>20 A. I -- I would not do that. I wouldn't do that. I</p> <p>21 didn't think it was safe because when I -- when</p> <p>22 we sailed from Grenada to Aruba, you stay far</p> <p>23 north of the Venezuelan islands and also the --</p> <p>24 the Bonaire and Curacao; so then when you want to</p>
<p style="text-align: right;">Page 178</p> <p>1 Q. Could you not maintain the course that you were</p> <p>2 on?</p> <p>3 A. Not really.</p> <p>4 Q. Why could you not maintain the course that you</p> <p>5 were on?</p> <p>6 A. Because the wind and the -- the sea was building</p> <p>7 up.</p> <p>8 Q. Based on the direction of the wind and the sea,</p> <p>9 could you have returned to Aruba?</p> <p>10 A. Not safely I think.</p> <p>11 Q. Why not?</p> <p>12 A. Because from the wind and the -- the sea that</p> <p>13 starts to build, when you go over the catamaran</p> <p>14 like that downwind when the sea is building up,</p> <p>15 you can lose control going down a surf and the --</p> <p>16 the ship can capsize.</p> <p>17 Q. What effect -- would the effect on the catamaran</p> <p>18 have been the same with no sail set?</p> <p>19 A. Yeah.</p> <p>20 Q. At the time that you decided to change course,</p> <p>21 could you have safely navigated to any other</p> <p>22 point of land to the southeast?</p> <p>23 I'm sorry. Please excuse me. Let me ask a</p> <p>24 better question.</p>	<p style="text-align: right;">Page 180</p> <p>1 go to that specific island, you actually come</p> <p>2 down to it.</p> <p>3 So I had the same idea then. I wouldn't go</p> <p>4 down close to that.</p> <p>5 Q. Could you have navigated to Bonaire or Curacao?</p> <p>6 A. That's what I'm saying. I didn't want to go too</p> <p>7 close to there.</p> <p>8 Q. Why not?</p> <p>9 A. Because the Venezuelan islands, if you look at</p> <p>10 the map that -- the Venezuelan islands east of</p> <p>11 them, they operate from there; the pirates.</p> <p>12 Q. Are --</p> <p>13 A. They can come to Bonaire and Curacao on the north</p> <p>14 side, but they can't go all the way to Aruba</p> <p>15 because they don't have any fuel left to go back.</p> <p>16 Q. Are Bonaire and Curacao Venezuelan islands?</p> <p>17 A. No.</p> <p>18 Q. Okay. After you completed executing the course</p> <p>19 change, from that time -- hold on just a moment.</p> <p>20 (Pause in the proceedings.)</p> <p>21 BY MR. GOLDMAN:</p> <p>22 Q. Between the time you executed the course change</p> <p>23 after sunset on the 15th until midnight on the</p> <p>24 night of the 15th-16th, can you refresh my</p>

<p style="text-align: right;">Page 181</p> <p>1 recollection, what was your vessel's general</p> <p>2 course?</p> <p>3 A. I went from 55 to around 50.</p> <p>4 Q. And can you refresh my recollection, what was</p> <p>5 your vessel's average speed during that period?</p> <p>6 A. That I don't know, but we said before that it was</p> <p>7 probably -- it was greater than 5, but not as</p> <p>8 great as 10.</p> <p>9 Q. Thank you for being patient with me and repeating</p> <p>10 that answer. I do remember now that you said</p> <p>11 that.</p> <p>12 Do you recall the direction of the wind</p> <p>13 during that period?</p> <p>14 MS. NIEMEYER: Objection. Asked and</p> <p>15 answered.</p> <p>16 You can answer.</p> <p>17 A. Okay. It was east/northeast. It was veering up</p> <p>18 to more to northeast.</p> <p>19 BY MR. GOLDMAN:</p> <p>20 Q. And can you tell me what the average wind speed</p> <p>21 was during that period?</p> <p>22 A. Are we talking about 6:00 p.m. to midnight now;</p> <p>23 right?</p> <p>24 Q. From the time the course change was executed</p>	<p style="text-align: right;">Page 183</p> <p>1 Q. During that period, do you recall the general</p> <p>2 direction of the current?</p> <p>3 A. No, I do not.</p> <p>4 Q. During that period, do you recall the general</p> <p>5 speed of the current?</p> <p>6 A. No, I do not.</p> <p>7 Q. Did you make any entry in the vessel's logs</p> <p>8 during that period?</p> <p>9 A. Not in addition to the GPS and radar.</p> <p>10 Q. Were any of the vessel's sails still up during</p> <p>11 that period?</p> <p>12 A. Yes, the headsail.</p> <p>13 Q. Were there any reefs in the headsail during that</p> <p>14 period?</p> <p>15 A. The head was reduced. Yes, it was reduced.</p> <p>16 Q. Is there a term you'd prefer that I use?</p> <p>17 A. Well, usually we use reduced on a headsail.</p> <p>18 Q. I will try to remember.</p> <p>19 A. I mean, I say that.</p> <p>20 Q. Were you on the port or the starboard tack during</p> <p>21 that period?</p> <p>22 A. Starboard tack.</p> <p>23 Q. Were both of the vessel's engines in use?</p> <p>24 A. Yes.</p>
<p style="text-align: right;">Page 182</p> <p>1 until midnight.</p> <p>2 A. So around, but we don't know, yeah.</p> <p>3 Anyway, it was around -- I think it was</p> <p>4 around 20, 25 knots.</p> <p>5 Q. Can you tell me what the gusting speed was?</p> <p>6 A. That was over 25.</p> <p>7 Q. Can you tell me the height -- the average height</p> <p>8 of the waves or the swells during that period?</p> <p>9 A. Well, that's -- that was, I don't know, 8 to 12</p> <p>10 maybe.</p> <p>11 I don't know exactly, but greater than 8.</p> <p>12 Q. Can you tell me, if you recall, the average</p> <p>13 length of time between each wave or swell during</p> <p>14 that period?</p> <p>15 A. No, I cannot.</p> <p>16 Q. Can you tell me the general direction of the</p> <p>17 waves or the swells during that period?</p> <p>18 A. I cannot. I cannot to exactly because I'm not</p> <p>19 supposed to assume, even if you have wind and all</p> <p>20 that. I don't know.</p> <p>21 Q. Without guessing you can't give even an --</p> <p>22 A. I can guess, but I'm not supposed to guess.</p> <p>23 MS. NIEMEYER: Don't guess.</p> <p>24 BY MR. GOLDMAN:</p>	<p style="text-align: right;">Page 184</p> <p>1 Q. What was the average RPM of the vessel's engines</p> <p>2 during that period?</p> <p>3 A. I do not know.</p> <p>4 Q. Do you recall the maximum RPM at which the</p> <p>5 vessel's engines were operated during that</p> <p>6 period?</p> <p>7 A. No, I do not.</p> <p>8 Q. At any time during that period, were you at the</p> <p>9 vessel's steering station?</p> <p>10 A. Yes.</p> <p>11 Q. At any time during that period was Ron at the</p> <p>12 vessel's steering station?</p> <p>13 A. Yes.</p> <p>14 Q. At any time during that period, did you operate</p> <p>15 the vessel's wheel or throttles?</p> <p>16 A. No.</p> <p>17 Q. At any time during that period did Ron operate</p> <p>18 the vessel's wheel or throttle?</p> <p>19 A. No.</p> <p>20 Q. At any time during that period were you</p> <p>21 navigating the vessel?</p> <p>22 A. Are we back to sitting at the station now? Or</p> <p>23 changing course? I can't remember now.</p> <p>24 Q. Let's continue to use that definition of</p>

<p style="text-align: right;">Page 185</p> <p>1 navigating.</p> <p>2 Were you -- at any time during that period,</p> <p>3 were you the one planning or directing the route</p> <p>4 or course of the ship?</p> <p>5 MS. NIEMEYER: I'm going to object for</p> <p>6 clarity's sake.</p> <p>7 Are you referring to after the course change</p> <p>8 happened, or are you including the course change</p> <p>9 in what you're asking him?</p> <p>10 MR. GOLDMAN: Let's include it. To be clear.</p> <p>11 BY MR. GOLDMAN:</p> <p>12 Q. At the time of the course change and the period</p> <p>13 from that time until midnight on the night of the</p> <p>14 15th-16th, were you planning and directing the</p> <p>15 route or course of the ship?</p> <p>16 A. Yes.</p> <p>17 Q. And I'll ask the same about Ron.</p> <p>18 At any time, either at the time of the course</p> <p>19 change or during the period after until midnight</p> <p>20 on the 15th-16th, was Ron planning or directing</p> <p>21 the route or course of the ship?</p> <p>22 A. He did not change any course at all. He only</p> <p>23 watched instruments.</p> <p>24 Q. Instruments he would have seen from sitting at</p>	<p style="text-align: right;">Page 187</p> <p>1 Q. Were the vessel's GPS units functioning during</p> <p>2 that period?</p> <p>3 A. Yes.</p> <p>4 Q. Do you know what the closest safe port was at the</p> <p>5 time that you executed the course change?</p> <p>6 A. No.</p> <p>7 Q. Do you know how many miles you were from Aruba at</p> <p>8 the time that you executed the course change?</p> <p>9 A. No.</p> <p>10 Q. Can you give any -- without guessing, can you</p> <p>11 give any estimate as to how far you were from any</p> <p>12 point of land at the time you executed the course</p> <p>13 change?</p> <p>14 A. No.</p> <p>15 Q. Was the autopilot in use at the time you executed</p> <p>16 the course change?</p> <p>17 A. Yes.</p> <p>18 Q. Did you execute the course change by entering a</p> <p>19 different course in the autopilot?</p> <p>20 A. I reduced the course by -- you can do it by one</p> <p>21 degree; so I did that maybe 4 or 5 degrees I</p> <p>22 changed it to go northerly -- more northerly than</p> <p>23 I was.</p> <p>24 Q. Was the autopilot in use the entire period from</p>
<p style="text-align: right;">Page 186</p> <p>1 the steering station; correct?</p> <p>2 A. Correct.</p> <p>3 Q. Was Ron seasick at any time from -- either</p> <p>4 from -- either at the time of the course change</p> <p>5 or during the period up until midnight?</p> <p>6 A. Yes.</p> <p>7 Q. What were his symptoms?</p> <p>8 A. He was nauseous, and I can't remember if he had</p> <p>9 thrown up by then, but I cannot -- I cannot</p> <p>10 remember exactly that.</p> <p>11 Q. Was anything done to treat his symptoms?</p> <p>12 A. No.</p> <p>13 Q. Could he eat or drink?</p> <p>14 A. Yes.</p> <p>15 Q. Was he administered any medication?</p> <p>16 A. No.</p> <p>17 Q. Did you or he consume any food or drink during</p> <p>18 that period?</p> <p>19 A. Yes.</p> <p>20 Q. Was the vessel's radar on during that period?</p> <p>21 A. Yes.</p> <p>22 Q. And was the vessel's VHF radio functioning during</p> <p>23 that period?</p> <p>24 A. As far as I know, yes.</p>	<p style="text-align: right;">Page 188</p> <p>1 the moment of the course change until midnight on</p> <p>2 the 15th-16th?</p> <p>3 A. Yes.</p> <p>4 Q. All right. Turning to midnight. Do you recall</p> <p>5 what the vessel's course was generally -- the</p> <p>6 general course of the vessel between midnight on</p> <p>7 the 15th-16th and 4:00 a.m. on the 16th?</p> <p>8 A. Say that again, please.</p> <p>9 Q. Do you recall what the vessel's general course</p> <p>10 was between midnight on the 15th-16th and 4:00</p> <p>11 a.m. on the 16th?</p> <p>12 A. I think it was about the same. My best</p> <p>13 recollection is that it was about, you know, 50</p> <p>14 degrees; 45-50 degrees.</p> <p>15 Q. Do you remember your vessel's average speed</p> <p>16 during that same period?</p> <p>17 A. No, unfortunately not.</p> <p>18 Q. Do you remember the average -- the general</p> <p>19 direction of the wind during that period?</p> <p>20 A. Yeah, northeast, if I remember it correctly.</p> <p>21 Q. That was -- that would mean blowing from the</p> <p>22 southwest to the northeast?</p> <p>23 A. Opposite. Blowing from northeast.</p> <p>24 Q. Got it. Thank you.</p>

<p style="text-align: right;">Page 189</p> <p>1 Do you remember the average speed of the wind 2 during that period? 3 A. Well, it was around -- yeah, lower 20s, mid 20s. 4 Q. Do you remember what the gusting speed of the 5 wind was? 6 A. Could be around 30. 7 Q. Do you remember the average height of the waves 8 or swells during that period? 9 A. No. It was -- they had built up pretty much -- 10 so what did I say before, about 8? Yeah about 8, 11 10. 12 Q. 8, 10 feet? 13 A. Yes. 14 Q. Thank you. Do you remember the general direction 15 of the waves or swells during that period? 16 A. Well, the wind came from the east to the 17 northeast; so the swells must have been the other 18 direction. 19 MS. NIEMEYER: I'm going to just intervene 20 here, Mr. Andersson. 21 Please don't guess. 22 THE WITNESS: Okay. No, then I don't know. 23 BY MR. GOLDMAN: 24 Q. Do you remember the general direction of the</p>	<p style="text-align: right;">Page 191</p> <p>1 midnight. I'm not sure. 2 Q. At any point in the voyage between now and the 3 end of it, was the headsail reduced any further? 4 A. Yes. 5 Q. Were the vessel's engines in use during that 6 period? 7 A. Yes. 8 Q. Do you know what the average RPM of the vessel's 9 engines were during that period? 10 A. No. 11 Q. Do you know what the maximum RPM at which the 12 vessel's engines were operated during that 13 period? 14 A. No. 15 Q. Were you at the steering station at any time 16 between midnight on the 15th-16th and 4:00 in the 17 morning on the 16th? 18 A. Yes. 19 Q. What were you doing at the steering station at 20 those times? 21 A. Monitoring the weather, the sail, and all the 22 instruments. 23 Q. Did you operate any of the vessel's -- or did you 24 operate the vessel's wheel or throttle?</p>
<p style="text-align: right;">Page 190</p> <p>1 current during that period? 2 A. No. 3 Q. Do you remember the general speed of the current 4 during that period? 5 A. No. 6 Q. Did you make any entry in the vessel's logbook 7 during that period? 8 A. No. Not in addition to the GPS, no. 9 Q. Were any of the vessel's sails up during that 10 period? 11 A. Yes, the headsail. 12 Q. Had the headsail been reduced at all during that 13 period? 14 Or not had. Let me ask a better question. 15 Was the headsail reduced at all during that 16 period? 17 MS. NIEMEYER: Objection to form. 18 It's not clear if you're talking about 19 reduced from its full capacity or reduced from 20 the prior time period. 21 BY MR. GOLDMAN: 22 Q. Was the headsail reduced from its full capacity 23 at any time during that period? 24 A. I'm not sure if the time was -- if it was before</p>	<p style="text-align: right;">Page 192</p> <p>1 A. No. 2 Q. Was Ron at the steering station at any time 3 between midnight on the 15th-16th and 4:00 in the 4 morning on the 16th? 5 A. Yes. 6 Q. Did he -- what was he doing at the steering 7 station during that period? 8 A. He was looking out for life and looking at the 9 radar and the GPS. 10 Q. Did he operate the vessel's wheel or throttle at 11 any time during that period? 12 A. No. 13 Q. Did you sleep at all anytime during that period? 14 A. Yes. 15 Q. Did Ron sleep at all anytime during that period? 16 A. Yes. 17 Q. Was Ron seasick during that period? 18 A. Yes. 19 Q. What were his symptoms? 20 A. Nauseous. He -- I don't know when, but he threw 21 up a few times; but he kept eating. 22 Q. Was he administered any medication, or was 23 anything done to treat his symptoms? 24 A. No.</p>

<p style="text-align: right;">Page 193</p> <p>1 Q. He was able to sit at the steering station and 2 monitor the instruments?</p> <p>3 A. Yes.</p> <p>4 Q. Did you consume any food or drink during that 5 period?</p> <p>6 A. I'm sure I did.</p> <p>7 Q. Was the vessel's radar on during that period?</p> <p>8 A. Yes.</p> <p>9 Q. Was the vessel's VHF radio still functioning 10 during that period?</p> <p>11 A. I'm not sure.</p> <p>12 Q. Can you remember, did the VH- -- did the vessel's 13 VHF radio cease functioning on the 16th?</p> <p>14 A. I don't know. We could receive transmissions on 15 the VHF all the way, but we could not transmit; 16 and we only found that out when we arrived at 17 Santo Domingo.</p> <p>18 Q. Did you try to transmit with the VHF radio at any 19 time on the 16th?</p> <p>20 A. No.</p> <p>21 Q. Were the GPS units functioning during that 22 period?</p> <p>23 A. Yes.</p> <p>24 Q. Do you know how far you were from Aruba at that</p>	<p style="text-align: right;">Page 195</p> <p>1 Q. Do you recall your vessel's general course during 2 that four-hour period on the 16th?</p> <p>3 A. I think it was -- during sometime there I went a 4 little bit more northerly, and that's because 5 when Ron was sick.</p> <p>6 Q. More northerly than you were traveling during the 7 previous period from the night before?</p> <p>8 A. Yes.</p> <p>9 Q. Were you traveling east of north or west of 10 north?</p> <p>11 MS. NIEMEYER: Objection to form. 12 Northerly does not mean going north directly, 13 but, Mr. Andersson, you can answer to the best of 14 your understanding.</p> <p>15 A. I was steering northeasterly, right, or the 16 autopilot was on northeasterly. That's 45 17 degrees.</p> <p>18 BY MR. GOLDMAN:</p> <p>19 Q. Thank you.</p> <p>20 A. So that's -- and then I went a little bit more 21 northerly, meaning maybe another 5 degrees, when 22 the wind became more northeast to north.</p> <p>23 Q. Do you remember your vessel's average speed 24 during that period from 4:00 in the morning to</p>
<p style="text-align: right;">Page 194</p> <p>1 point?</p> <p>2 A. No.</p> <p>3 Q. Do you know how many miles you were from any 4 point of land during that period?</p> <p>5 A. No, not really.</p> <p>6 Q. Was the --</p> <p>7 A. I can't recall.</p> <p>8 Q. Please excuse me, sir. I'm sorry.</p> <p>9 A. No, I can't recall that, no.</p> <p>10 Q. Was the autopilot in use during that entire 11 period?</p> <p>12 A. Yes.</p> <p>13 Q. All right. Turning to the next period; from 4:00 14 in the morning to 8:00 in the morning on the 15 16th.</p> <p>16 Can you tell me if you remember what your 17 vessel's general course was between 4:00 in the 18 morning and 8:00 in the morning on the 16th?</p> <p>19 MS. NIEMEYER: I'm going to interject here 20 just to make sure we have a little clarity. 21 The 16th is Monday; correct?</p> <p>22 MR. GOLDMAN: Yes, it is.</p> <p>23 MS. NIEMEYER: Okay.</p> <p>24 BY MS. NIEMEYER:</p>	<p style="text-align: right;">Page 196</p> <p>1 8:00 in the morning on the 16th?</p> <p>2 A. No, I do not.</p> <p>3 Q. Do you remember your vessel's maximum speed 4 during that period?</p> <p>5 A. No, I do not.</p> <p>6 Q. Do you remember the general direction of the wind 7 during that period?</p> <p>8 A. Northeast to -- northeasterly.</p> <p>9 Q. Do you remember the average speed of the wind 10 during that period?</p> <p>11 A. No.</p> <p>12 Q. Do you remember the gusting speed of the wind 13 during that period?</p> <p>14 A. Yeah, it was maybe 30.</p> <p>15 MS. NIEMEYER: Objection. 16 Don't guess. 17 THE WITNESS: Sorry.</p> <p>18 BY MR. GOLDMAN:</p> <p>19 Q. Can you approximate the gusting speed of the wind 20 during that period without guessing?</p> <p>21 A. No, I can't.</p> <p>22 Q. Can you tell me the average height of the waves 23 or swells during that period?</p> <p>24 A. 10. 8 to 10.</p>

<p style="text-align: right;">Page 197</p> <p>1 Q. Can you tell me the average length of time 2 between each wave or swell? 3 A. No. 4 Q. Can you tell me the direction of the waves or 5 swells? 6 A. No. 7 Q. Do you remember the general direction of the 8 current during that period? 9 A. No. 10 Q. Do you remember the general speed of the current 11 during that period? 12 A. No. 13 Q. Did you make any entry in the vessel's logbook 14 during that period? 15 A. Not in addition to the GPS and radar. 16 Q. Were the vessel's sails up at any time during 17 that period? 18 A. Yes. 19 Q. Was that still the -- only the headsail? 20 A. Yes. 21 Q. During that period, did you reduce the headsail 22 any further? 23 A. Where are we now? 4:00 and 8:00 in the morning? 24 Q. Yes.</p>	<p style="text-align: right;">Page 199</p> <p>1 record straight. 2 At any time during that period were you 3 monitoring the vessel's instruments at the 4 steering station? 5 A. Yes. 6 Q. Was Ron at any point during that period of time 7 at the vessel's steering station? 8 A. Yes. 9 Q. Was he -- at any time during that period, did he 10 operate the vessel's wheel or throttle? 11 A. No. 12 Q. At any time during that period, was Ron 13 monitoring the vessel's instruments? 14 A. Yes. 15 Q. Did you sleep at any time during that period? 16 A. I'm not sure. 17 Q. Did Ron sleep at any time during that period? 18 A. I'm not sure. 19 Q. Was Ron seasick during this period? 20 A. Yes. 21 Q. What were his symptoms? 22 A. Nausea. I don't know if he was throwing up, but 23 he was eating and had nausea and drank water. 24 Q. Did he take any medication or was anything else</p>
<p style="text-align: right;">Page 198</p> <p>1 A. I'm not sure. 2 Q. Do you recall if you were on the port or the 3 starboard tack? 4 A. Starboard tack. 5 Q. Were both vessel's engines in use? 6 A. Yes. 7 Q. Do you remember the average RPM of the vessel's 8 engines during that period? 9 A. No. 10 Q. Do you remember the maximum RPM at which the 11 vessel's engines were operating during that 12 period? 13 A. No. 14 Q. Were you at the steering station at any time 15 during that period? 16 A. Yes. 17 Q. Did you operate the vessel's wheel or throttle 18 during that period? 19 A. No. 20 Q. Were you monitoring the vessel's instruments at 21 the steering station during that period? 22 A. Yes. 23 Q. At any point -- I'm sorry, I spoke over you. Let 24 me ask my question again; make sure we get the</p>	<p style="text-align: right;">Page 200</p> <p>1 done to treat his symptoms? 2 A. No. 3 Q. Did you consume any food or drink during this 4 period? 5 A. Yes. 6 Q. Do you know what the closest safe port was during 7 this period? 8 A. At the time, we were aiming at Ponce, 9 Puerto Rico. 10 Q. Do you know how many miles approximately you were 11 from Puerto Rico at any time during that 12 period? 13 A. Not exactly. No, I don't know. 14 Q. Without guessing, can you estimate to within a 15 hundred miles of how far you were from 16 Puerto Rico at that time? 17 A. No, I don't want to guess. 18 Q. Never guess. Was the vessel's autopilot in use 19 during that entire period, from 4:00 to 8:00, on 20 the 16th? 21 A. Yes. 22 Q. All right. We're making progress. 23 During the next period, from 8:00 in the 24 morning until noon on the 16th -- hold on just</p>

<p style="text-align: right;">Page 201</p> <p>1 one sec.</p> <p>2 (Pause in the proceedings.)</p> <p>3 BY MR. GOLDMAN:</p> <p>4 Q. Let me go back and ask a question I forgot just</p> <p>5 to repeat it.</p> <p>6 At any time from midnight to 8:00 in the</p> <p>7 morning on the 16th, did you make any attempts to</p> <p>8 turn back towards Aruba?</p> <p>9 A. No.</p> <p>10 Q. Could you have turned back towards Aruba?</p> <p>11 A. I didn't find it safe.</p> <p>12 Q. Why was it unsafe?</p> <p>13 A. As I mentioned before, the wind and the waves</p> <p>14 could have easily pushed the boat sideways and</p> <p>15 capsized it.</p> <p>16 Q. Did you make any attempt to turn back toward</p> <p>17 Curacao or Bonaire?</p> <p>18 A. As I said before, no, it wasn't safe I thought.</p> <p>19 Q. Just to be thorough, I'm going to be asking the</p> <p>20 same questions just to be certain; and I'm sure</p> <p>21 you will give the same answers.</p> <p>22 Could you have -- is there any other point of</p> <p>23 land to the east that it would have been safe to</p> <p>24 turn towards?</p>	<p style="text-align: right;">Page 203</p> <p>1 northerly.</p> <p>2 Q. Can you give me a number of how many degrees</p> <p>3 northerly you might have turned?</p> <p>4 A. I cannot give you an exact number. But it's -- I</p> <p>5 follow the wind; and if the wind is too much on</p> <p>6 the nose, I have to fall off a little bit.</p> <p>7 Q. Can you approximate your northerly bearing?</p> <p>8 MS. NIEMEYER: I'll order my client not to</p> <p>9 guess.</p> <p>10 MR. GOLDMAN: Of course not.</p> <p>11 THE WITNESS: I'm not -- sorry.</p> <p>12 BY MR. GOLDMAN:</p> <p>13 Q. Okay. More northerly than during the previous</p> <p>14 period?</p> <p>15 A. Yes, slightly, yes.</p> <p>16 Q. Okay. During this period from 8:00 in the</p> <p>17 morning to the -- to noon on the 16th, can you</p> <p>18 recall your approx- -- average speed?</p> <p>19 A. Well, during -- I don't know when it was, but at</p> <p>20 some point, I turned the engines off; and at that</p> <p>21 time, I did do 7 knots with the headsail only.</p> <p>22 Q. Did you turn the engines off before or after noon</p> <p>23 on the 16th?</p> <p>24 A. I can't recall that. I don't know.</p>
<p style="text-align: right;">Page 202</p> <p>1 Let me ask a more specific question.</p> <p>2 Would it have been safe to navigate towards</p> <p>3 Grenada?</p> <p>4 A. No, because then I had -- then I go straight into</p> <p>5 the sea.</p> <p>6 Q. Would it have been safe to navigate to</p> <p>7 St. Vincent or St. Lucia?</p> <p>8 A. No, same thing.</p> <p>9 Q. Would it have been safe to navigate towards</p> <p>10 Martinique?</p> <p>11 A. No. No, not. And it was further to Martinique</p> <p>12 and those islands than it was to Puerto Rico.</p> <p>13 Q. Okay. Turning to the period from 8:00 in the</p> <p>14 morning -- sorry. Just a moment.</p> <p>15 (Pause in the proceedings.)</p> <p>16 MR. GOLDMAN: All right. I'm sorry. My</p> <p>17 associate keeps bothering me. She's invaluable,</p> <p>18 though. Okay.</p> <p>19 BY MR. GOLDMAN:</p> <p>20 Q. Turning to the period from 8:00 in the morning</p> <p>21 until 12:00 on the 16th, do you recall the</p> <p>22 vessel's general course during that period?</p> <p>23 A. Well, generally I was either going the way I was</p> <p>24 or had turned maybe another few degrees</p>	<p style="text-align: right;">Page 204</p> <p>1 Q. Okay. Do you recall the direction of the -- the</p> <p>2 average direction of the wind during that period?</p> <p>3 A. It had turned more northerly.</p> <p>4 Q. Do you recall the average speed of the wind</p> <p>5 during that period?</p> <p>6 A. No. No.</p> <p>7 Q. Do you recall the maximum speed of the wind</p> <p>8 during that period?</p> <p>9 A. No.</p> <p>10 Q. Do you recall the average height of the waves or</p> <p>11 the swells during that period?</p> <p>12 A. No, I can't guess.</p> <p>13 Q. Do you remember the average length of time</p> <p>14 between each wave or swell?</p> <p>15 A. No.</p> <p>16 Q. Do you remember the general direction of the</p> <p>17 waves or swells?</p> <p>18 A. No.</p> <p>19 Q. Do you recall the general direction of the</p> <p>20 current during that period?</p> <p>21 A. No.</p> <p>22 Q. Do you recall the general direction of the</p> <p>23 current at any time on the 16th?</p> <p>24 A. No.</p>

<p style="text-align: right;">Page 205</p> <p>1 Q. Do you recall the average speed of the current 2 during that period, from 8:00 in the morning to 3 noon on the 16th? 4 A. No. 5 Q. Did you make any entry in the vessel's -- any 6 entries in the vessel's logbook during that 7 period? 8 A. No. Not in addition to the GPS. 9 Q. Were any of the vessel's sails still up during 10 that period? 11 A. Yes. 12 Q. Which sails were up? 13 A. The headsail. 14 Q. Did you reduce the headsail any further from 15 where it was in the previous period? 16 A. I don't know. 17 Q. Were you on the port or the starboard tack? 18 A. Starboard. 19 Q. Were both of the vessel's engines still in use 20 during that entire period? 21 A. My recollection is that I stopped the engines and 22 sailed when I could. 23 I don't know when I turned them on and off 24 exactly. Off and on, I'm sorry.</p>	<p style="text-align: right;">Page 207</p> <p>1 What were you doing at the steering station 2 during that period? 3 A. Monitoring sea, wind, sails, autopilot, GPS, 4 radar. 5 Q. Did Ron, when he was at the steering station, 6 operate the vessel's wheel or throttle at any 7 time during that period? 8 A. No. 9 Q. What was he doing at the steering station during 10 that period? 11 A. He was monitoring the instruments to make sure 12 that they were functioning and on. 13 Q. Did you sleep at any time during that period? 14 A. Between 8:00 and 10:00 -- 8:00 and 12:00? 15 Q. Yes. 16 A. Yes. 17 Q. Did Ron sleep at any time during that period? 18 A. Yes. 19 Q. Was Ron seasick at any time during that period? 20 A. Yes. 21 Q. What were his symptoms during that period? 22 A. Nausea, vomiting, but still eating and drinking 23 water. 24 Q. Was anything done to treat his symptoms? Or was</p>
<p style="text-align: right;">Page 206</p> <p>1 Q. You don't recall if it was before noon or 2 after noon; is that correct? 3 A. No, that's right. 4 Q. Do you recall the average RPM of the vessel -- of 5 the engines during that period? 6 A. No, I do not. 7 Q. Do you recall the maximum RPMs at which the 8 engines were operating during that period? 9 A. No, I do not. 10 Q. Were you at the vessel's steering station at any 11 time during that period? 12 A. This is 8:00 to 12:00 now we're talking? 13 Q. Yes. 14 A. Yes, I was. 15 Q. Did you operate the vessel's steering wheel or 16 throttle during that period? 17 A. No. 18 Q. Did you operate the autopilot at all during that 19 period? 20 A. I don't recall. 21 Q. Was Ron at the vessel's steering station at any 22 time during that period? 23 A. Yes, he was. 24 Q. Let me go back and ask a question about you.</p>	<p style="text-align: right;">Page 208</p> <p>1 he administered any medication? 2 A. No, nothing in addition to food and water. 3 Q. Did you consume any food or drink during that 4 period? 5 A. Yes. 6 Q. Was the vessel's radar on during that period? 7 A. Yes. 8 Q. Was the vessel's VHF radio still functioning 9 during that period? 10 A. As best -- to the best of my knowledge, yes. We 11 could still receive traffic. 12 Q. Was the -- were the vessel's GPS units still 13 functioning during that period? 14 A. Yes. 15 Q. Can you give any estimate without guessing how 16 many miles you were from Puerto Rico at any time 17 during that period? 18 A. No. 19 Q. Can you give any estimate as to how far -- how 20 many miles you were from any point of land during 21 that period? 22 A. No. 23 Q. Was the autopilot in use during that entire 24 period?</p>

Page 209

1 A. Yes.

2 **Q. All right. Turning to the period of noon to 4:00**
3 **p.m. on the 16th.**

4 **Can you tell me what your vessel's general**
5 **course was during that four-hour interval?**

6 A. What are we -- I'm not --

7 **Q. I'll ask the question in full so you'll know what**
8 **time we're talking about.**

9 **Do you remember the vessel's general course**
10 **during the period of noon to 4:00 p.m. on the**
11 **16th of December?**

12 MS. NIEMEYER: To clarify, Michael, the 16th
13 was Monday; correct?

14 MR. GOLDMAN: I believe it is, yes. Was,
15 yes.

16 THE WITNESS: Well, can you run that again.
17 I'm getting little bit tired here.

18 MR. GOLDMAN: Yes. Of course. One second.
19 (Pause in the proceedings.)

20 MS. NIEMEYER: And, Mr. Goldman, I'm not
21 going to interrupt to stop questioning during a
22 pending question, but considering that
23 Mr. Andersson seems to be completely losing it
24 with exhaustion right this moment, perhaps we can

Page 211

1 **Q. All right. Mr. Andersson, from the period of**
2 **6:00 p.m. to midnight on the 14th, what was your**
3 **vessel's general course during that period?**

4 A. Well, generally easterly. It could be, you know,
5 if -- I could be -- it could be a little bit
6 south of due east, but it is in that general
7 direction.

8 **Q. And what was your vessel's average speed during**
9 **that period?**

10 A. That I'm not sure of.

11 **Q. Do you remember the general direction of the wind**
12 **during that period?**

13 A. That was from the east.

14 So when you say direction, we usually do it
15 the other way around; so sorry about that.

16 **Q. That's quite all right. Please explain it to me**
17 **real quickly if you can.**

18 A. When you say what is the wind, it's easterly,
19 meaning it's coming from the east and going to
20 the west.

21 **Q. Understood.**

22 A. That's why we have the saying in Boston that if
23 you have northeasterly, you're cold.

24 **Q. Got it. Forgive me for repeating myself.**

Page 210

1 take a break after this one.

2 MR. GOLDMAN: Absolutely. We can do 15
3 minutes if you want. That's fine. Considering
4 that we're going at a slightly quicker pace, I
5 think we can end this today if you're willing to
6 keep going.

7 What do you think?

8 THE WITNESS: Yeah.

9 MR. GOLDMAN: Okay. Let me put the pending
10 question again, and then we'll take a break.

11 BY MR. GOLDMAN:

12 **Q. During the period of noon to 4:00 p.m. on the**
13 **16th of December, do you recall the vessel's**
14 **general course during that period?**

15 A. When you say "general course," can you sort of
16 define that a little.

17 **Q. I can. In which direction did the vessel**
18 **generally travel during that period?**

19 A. Northeast by north.

20 MR. GOLDMAN: Splendid. Break.

21 MS. NIEMEYER: Okay. So 15 minutes. We'll
22 be back at quarter after 3:00.

23 (Recess was taken from 3:01 p.m. until 3:19 p.m.)

24 BY MR. GOLDMAN:

Page 212

1 **Do you recall the average speed of the wind**
2 **during that period?**

3 A. No, it was maybe a slight over 10. 12 maybe.

4 I think I said that. I'm not sure. But
5 around there.

6 **Q. Do you remember the maximum gusting speed of the**
7 **wind during that period?**

8 A. No.

9 **Q. Do you remember the average height of the waves**
10 **or swells during that period?**

11 A. No.

12 **Q. Do you remember the average length of time**
13 **between each wave or swell during that period?**

14 A. No.

15 **Q. Do you remember the general direction of the**
16 **waves or swells during that period?**

17 A. The direction was westerly.

18 **Q. From west --**

19 A. No, west -- you said the direction was westerly.
20 If the wind is from east to west, the waves
21 usually go the same way.

22 MS. NIEMEYER: Mr. Andersson, I'm going to
23 instruct you one more time not to guess.

24 Just don't guess. If you know, you know. If

<p style="text-align: right;">Page 213</p> <p>1 you don't know, you don't know.</p> <p>2 THE WITNESS: Yeah, okay. I don't know.</p> <p>3 BY MR. GOLDMAN:</p> <p>4 Q. Do you remember the general direction of the</p> <p>5 waves or swells during that period?</p> <p>6 A. No.</p> <p>7 Q. Do you remember the general direction of the</p> <p>8 current during that period?</p> <p>9 A. No, I do not.</p> <p>10 Q. Do you remember the general speed of the current</p> <p>11 during that period?</p> <p>12 A. No.</p> <p>13 Q. Did you or Ron make any entries in the logbook</p> <p>14 during that period?</p> <p>15 A. No. Nothing in addition to the GPS.</p> <p>16 Q. Were any of the vessel's sails up during that</p> <p>17 period?</p> <p>18 A. I don't recall.</p> <p>19 Q. Were you on the port or the starboard tack during</p> <p>20 that period?</p> <p>21 A. I don't know. If there's no sail up, you're not</p> <p>22 on a tack.</p> <p>23 Q. That's what I thought. But I had to be sure.</p> <p>24 Were both of the vessel's engines in use</p>	<p style="text-align: right;">Page 215</p> <p>1 A. No. Not alone. Sorry. Not alone.</p> <p>2 Q. Did you sleep at all during that period?</p> <p>3 A. No.</p> <p>4 Q. Was -- did Ron sleep at all during that period?</p> <p>5 A. No.</p> <p>6 Q. Was Ron seasick at all during that period?</p> <p>7 A. No.</p> <p>8 Q. Did you or Ron consume any food or drink during</p> <p>9 that period?</p> <p>10 A. I don't remember.</p> <p>11 Q. Was the autopilot in use during that entire</p> <p>12 period?</p> <p>13 A. Yes.</p> <p>14 Q. All right. Going to the period of midnight to</p> <p>15 6:00 in the morning on the 15th.</p> <p>16 What was the general direction of your vessel</p> <p>17 during that period?</p> <p>18 MS. NIEMEYER: Michael, I'm going to ask,</p> <p>19 we've already covered that time frame as I recall</p> <p>20 both in two-hour increments and in four-hour</p> <p>21 increments.</p> <p>22 MR. GOLDMAN: Yes, and --</p> <p>23 MS. NIEMEYER: Is it necessary we do it again</p> <p>24 in a six-hour increment?</p>
<p style="text-align: right;">Page 214</p> <p>1 during that period?</p> <p>2 A. Yes.</p> <p>3 Q. Can you -- do you remember the average RPM of the</p> <p>4 vessel's engines during that period?</p> <p>5 A. No.</p> <p>6 Q. Do you remember the maximum RPM at which the</p> <p>7 vessel's engines were operating during that</p> <p>8 period?</p> <p>9 A. No.</p> <p>10 Q. Were you at the steering station of the vessel at</p> <p>11 any time during that six-hour period?</p> <p>12 A. Yes.</p> <p>13 Q. Did you operate the vessel's wheel or throttle at</p> <p>14 any time during that period?</p> <p>15 A. No.</p> <p>16 Q. What were you doing at the steering station</p> <p>17 during that period -- during the times you were</p> <p>18 standing at it?</p> <p>19 A. Observing the traffic around, observing the --</p> <p>20 monitoring the instruments.</p> <p>21 Q. During that period, was Ron ever at the steering</p> <p>22 station?</p> <p>23 A. From what? 6:00 to 10:00 or 6:00 to 12:00?</p> <p>24 Q. 6:00 to 12:00.</p>	<p style="text-align: right;">Page 216</p> <p>1 MR. GOLDMAN: It's necessary because -- well,</p> <p>2 tell me -- let's go off the record.</p> <p>3 (Recess was taken from 3:25 p.m. until 3:29 p.m.)</p> <p>4 BY MR. GOLDMAN:</p> <p>5 Q. During the period of midnight on the 15th to 6:00</p> <p>6 in the morning on the 15th, do you recall your</p> <p>7 vessel's general course?</p> <p>8 A. The majority of that time it was 55 degrees.</p> <p>9 Q. Do you recall your vessel's average speed during</p> <p>10 that period?</p> <p>11 A. No, I do not.</p> <p>12 Q. Do you recall your vessel's maximum speed during</p> <p>13 that period?</p> <p>14 A. No, I do not.</p> <p>15 Q. Do you recall the general direction of the wind</p> <p>16 during that period?</p> <p>17 A. Easterly. From the east.</p> <p>18 Q. Do you remember the average speed of the wind</p> <p>19 during that period?</p> <p>20 A. No.</p> <p>21 Q. Do you recall the gusting speed of the wind</p> <p>22 during that period?</p> <p>23 A. No.</p> <p>24 Q. Do you recall the average height of the waves or</p>

<p style="text-align: right;">Page 217</p> <p>1 swells during that period?</p> <p>2 A. No.</p> <p>3 Q. Do you recall the average length of time between</p> <p>4 each wave or swell during that period?</p> <p>5 A. No.</p> <p>6 Q. During that period, what was the -- from what</p> <p>7 general direction did the waves or swells come</p> <p>8 from?</p> <p>9 A. East.</p> <p>10 Q. During that period, what was the general</p> <p>11 direction of the current?</p> <p>12 A. I don't know.</p> <p>13 Q. During that period, what was the average speed of</p> <p>14 the current?</p> <p>15 A. I do not know.</p> <p>16 Q. During that period, did you make any entries in</p> <p>17 the vessel's logbook?</p> <p>18 A. Not in addition to the GPS.</p> <p>19 Q. Were both of the vessel's engines in use?</p> <p>20 A. Yes.</p> <p>21 Q. Do you recall the average RPM of the vessel's</p> <p>22 engines during that six-hour period?</p> <p>23 A. No, I do not.</p> <p>24 Q. Do you recall the maximum RPM at which the</p>	<p style="text-align: right;">Page 219</p> <p>1 A. During that period?</p> <p>2 Q. Yes.</p> <p>3 A. Yes.</p> <p>4 Q. During that period, did you operate the vessel's</p> <p>5 steering mechanism or throttle?</p> <p>6 A. No.</p> <p>7 Q. During that period, did Ron operate the steering</p> <p>8 wheel or throttle?</p> <p>9 A. No.</p> <p>10 Q. During that period when Ron was at the steering</p> <p>11 station, what was he doing at the steering</p> <p>12 station?</p> <p>13 A. Monitoring radar, GPS.</p> <p>14 Q. Was Ron seasick at that point?</p> <p>15 A. No.</p> <p>16 Q. Did you or Ron consume any food or drink during</p> <p>17 that period?</p> <p>18 A. I don't recall.</p> <p>19 Q. Do you recall your average distance from Aruba</p> <p>20 during that period?</p> <p>21 A. You said 12:00 to 6:00. No, I don't.</p> <p>22 Q. Was the autopilot in use at any point during that</p> <p>23 period?</p> <p>24 A. Yes.</p>
<p style="text-align: right;">Page 218</p> <p>1 vessel's engines were operated during that</p> <p>2 period?</p> <p>3 A. No.</p> <p>4 Q. Were you at the steering station at any point</p> <p>5 during that period?</p> <p>6 A. Yes.</p> <p>7 Q. Was Ron at the steering station at any point</p> <p>8 during that period?</p> <p>9 A. Yes.</p> <p>10 Q. Was Ron asleep at any point during that period?</p> <p>11 A. I'm not sure. I don't know.</p> <p>12 Q. Was Ron at the steering station at any point in</p> <p>13 that period when you were not?</p> <p>14 MS. NIEMEYER: Can you clarify the time frame</p> <p>15 again just to be sure.</p> <p>16 MR. GOLDMAN: Midnight to 6:00 on the 15th.</p> <p>17 THE WITNESS: Say the question again,</p> <p>18 please.</p> <p>19 BY MR. GOLDMAN:</p> <p>20 Q. At any point during that period was Ron at the</p> <p>21 steering station when you were not?</p> <p>22 A. I don't remember.</p> <p>23 Q. Was Ron at the steering station while you were</p> <p>24 asleep?</p>	<p style="text-align: right;">Page 220</p> <p>1 MR. GOLDMAN: Hold on one second. Then we'll</p> <p>2 go to the next period.</p> <p>3 (Pause in the proceedings.)</p> <p>4 BY MR. GOLDMAN:</p> <p>5 Q. Okay. Turning to the period of 6:00 in the</p> <p>6 morning until noon on the 15th, do you recall the</p> <p>7 vessel's general course during this period?</p> <p>8 A. 55 degrees.</p> <p>9 Q. Do you recall the vessel's average speed during</p> <p>10 this period?</p> <p>11 A. No, I don't know.</p> <p>12 Q. Do you recall the vessel's maximum speed during</p> <p>13 that period?</p> <p>14 A. No, I do not.</p> <p>15 Q. Do you recall the direction of the wind at any</p> <p>16 time during that period?</p> <p>17 A. Coming from east.</p> <p>18 Q. Do you recall the average speed of the wind at</p> <p>19 any time during that period?</p> <p>20 A. No.</p> <p>21 Q. Do you recall the gusting speed of the wind at</p> <p>22 any time during that period?</p> <p>23 A. No.</p> <p>24 Q. Do you recall the average height of the waves or</p>

Page 221

1 swells at any time during that period?

2 A. What is this, Sunday morning?

3 Q. Yes. Excuse me. Yes, Sunday morning.

4 A. What, 6:00 to 12:00?

5 Q. Yes.

6 A. Okay. No, it's getting a bit blurry for me here
7 now.

8 Q. I understand. Take your time.

9 A. Yeah, I don't remember.

10 MS. NIEMEYER: I'm going to interject at this
11 point and ask Mr. Andersson, are you comfortable
12 proceeding?

13 When you say things like it's getting a
14 little blurry for me, I'm concerned you're having
15 trouble focusing.

16 MR. GOLDMAN: I'm happy to break.

17 THE WITNESS: Say it again.

18 MR. GOLDMAN: I'm sorry. I spoke over you,
19 but I was going to say I'm happy to break for the
20 day and pick this up next time.

21 THE WITNESS: Okay.

22 MS. NIEMEYER: Let's do that. I -- you know,
23 I don't feel right having a situation where the
24 witness is too tired to focus and --

Page 222

1 MR. GOLDMAN: Absolutely right.

2 MS. NIEMEYER: You know, it's been a very
3 long day.

4 MR. GOLDMAN: It certainly has. Completely
5 right. Let's call it for the day, and we'll pick
6 it up not next week but the week after; correct?

7 MS. NIEMEYER: Do you want to choose a date,
8 the 15th through the 17th?

9 MR. GOLDMAN: Let's do it. Let's go off the
10 record. We're done.

11 (Andersson Exhibit No. 29 was marked for
12 identification.)

13 (Suspension of proceedings at 3:36 p.m. this date.)
14
15
16
17
18
19
20
21
22
23
24

Page 223

1 CERTIFICATE

2 I, Karen D. Pomeroy, a Registered Diplomate
3 Reporter and Notary Public in and for the
4 Commonwealth of Massachusetts, do hereby certify that
5 Martin Andersson, the witness whose deposition is
6 hereinbefore set forth, was duly remotely sworn by me
7 and that such deposition is a true and accurate
8 record, to the best of my knowledge, skills and
9 ability, of the testimony given by such witness.

10 I further certify that I am not related to any of
11 the parties in this matter by blood or marriage and
12 that I am in no way interested in the outcome of this
13 matter.

14 IN WITNESS WHEREOF, I have hereunto set my hand
15 and affixed my seal of office this 14th day of June,
16 2021.
17
18
19

20 _____
21 Notary Public

22 My Commission expires:
23 June 13, 2025
24

Page 224

1 ERRATA SHEET

2 CHANGES TO THE DEPOSITION OF MARTIN ANDERSSON
3 INSTRUCTIONS TO WITNESS: 1) Please note any desired
4 corrections to your testimony by page and line
5 number. 2) Enter text as it appears in the
6 transcript. 3) Enter text as it should appear.

7 PAGE LINE CORRECTION
8 _____
9 _____
10 _____
11 _____
12 _____
13 _____
14 _____
15 _____
16 _____

17 I, Martin Andersson, do hereby certify that I
18 have read the foregoing transcript of my testimony,
19 and I further certify that said transcript is a true
20 and accurate record of said testimony.

21 Dated at _____, this ____ day
22 of _____, 20____.
23
24

Martin Andersson

A	186:15 192:22 208:1	Andersson_AB000... 9:2	124:15 125:4 131:17 150:2,5 151:9 173:14 174:4 175:5 200:10	128:24 134:18,20 139:16,18 161:9 168:23 218:10,24
a.m 1:21 10:18,18 39:22 54:24,24 57:21 61:10,15 64:6 68:10 77:14 78:3 87:12 103:5 103:14,14 107:7 153:10 165:6 188:7 188:11	admiralty 1:3 165:22 admitted 7:2 affixed 223:15 afternoon 150:12,15 151:13 152:15,23 153:11 154:1,9,15 154:19,24 156:15 156:17,19 164:16 167:14 168:8,14,20 169:18 170:17,24 172:12,22 174:3 177:21	answer 4:23 5:8,8 12:4 31:15 61:9,23 62:15,17 70:16 73:5,19 74:6 75:5 77:22 90:8 94:23 99:24 104:11 110:22 115:20 145:6 146:18,20 147:10,12 148:10 149:5 150:1 152:20 168:2,3 173:3 175:2 181:10,16 195:13	approximation 171:7 area 20:6 arrived 193:16 Aruba 17:7 18:13,21 19:23 22:12 25:2,8 30:11 42:2 45:24 49:21 50:1 54:5,6 55:8 56:2 57:12,15 57:20 60:6 67:10 67:19,24 68:7,10 68:12,15,17,22 69:5,8 70:8,18,22 72:20,24 73:3,8,11 83:2,4 86:24 87:3 91:8,10 93:21 101:3,5,7,10,14 109:5,7 114:1,4,7 114:10,11 119:11 124:16 131:3 135:24 141:3 171:8 171:14 173:9 178:9 179:22 180:14 187:7 193:24 201:8 201:10 219:19	assistant 64:18 associate 202:17 assume 43:5 182:19 assumed 140:12 assuming 159:5 assure 50:13 ate 170:12 Attached 3:24 attempt 201:16 attempts 201:7 attendance 93:2 attention 50:14 94:13 Australia 6:14 authorities 7:7,9 authority 15:22 automatically 33:24 autopilot 29:11 30:24 33:23 36:7 42:9 46:12 51:5 54:15 58:13 59:3 60:18 71:16,24 73:24 82:4 83:9,11 85:15 85:17 87:9 91:16 99:3,8,24 101:19 109:13 114:15 119:16 124:21 131:11 136:8 141:12 167:18,19 167:21 169:8 172:8 172:10,13 187:15 187:19,24 194:10 195:16 200:18 206:18 207:3 208:23 215:11 219:22
ABC 22:12 abilities 98:12 ability 223:9 able 70:15 92:11,21 146:18 149:5 170:11 193:1 aboard 15:8 17:4 18:16 23:9,20 24:2 25:11 49:15 absolutely 9:1 54:21 146:22 173:5 210:2 222:1 academy 6:13,15 accept 147:2 access 16:18 accessible 9:4 accurate 13:3 77:12 162:15 163:1 223:7 224:20 acting 29:14 34:22 41:5 44:17 48:20 53:11 59:10 72:1 82:6 86:4 90:12 100:9 108:11 113:6 118:12 122:12,16 122:19 123:2 128:20 134:16 139:14 168:15,17 add 92:10 96:1 163:3 addition 42:8 46:11 47:22 51:4 54:14 57:5 60:14 67:7 81:13 85:3 89:14 97:21 106:8 111:20 116:23 127:15 133:7 138:11 143:7 158:6 183:9 190:8 197:15 205:8 208:2 213:15 217:18 address 5:14 13:3,5 adjust 33:24 administered 170:14	age 4:19 ago 24:8 69:19 74:15 74:21 145:11 agreeable 92:7 ahead 93:19 158:22 aiming 200:8 aircraft 166:7 alcohol 23:9,14 allision 14:24 allowed 146:10 159:8 Almanac 22:17,21 American 165:13,13 amount 132:16,18 Andersson 1:9,15 3:2 4:1,7 5:15 10:20 33:10,11 40:5,13 50:14 55:2 61:18 62:16,24 65:14,20 66:6 67:15 68:3 71:5 73:5,19 75:15 76:16 77:7,21 79:22 88:11 90:8 92:17 93:13 94:23 95:7,22 98:14 102:7 110:22 111:2 115:20 122:22 125:22 126:5 137:3 146:6 147:20 149:2 149:16 150:1 159:4 159:13 161:22 163:5 164:3 166:17 173:8 174:2 175:2 179:15 189:20 195:13 209:23 211:1 212:22 221:11 222:11 223:5 224:2,17,24 Andersson's 77:18	answered 61:18 62:20 69:19 73:17 95:7 100:6 122:22 144:18,23 146:9 149:23 162:20 164:1 181:15 answering 62:1 63:1 93:19 122:24 answers 5:3,9 40:6 40:14,15 50:9 95:10 147:9 148:5 148:8 201:21 anytime 192:13,15 anyway 152:12 166:4 182:3 appear 224:4 APPEARANCES 2:1 appears 125:23 163:13 224:4 application 3:15 8:17 10:24 appreciate 47:2 62:4 appropriate 75:7 approx- 203:18 approximate 26:14 88:8 115:13,18,24 148:9 149:4,20 150:23 151:18 152:1,1,9 154:8 173:16 196:19 203:7 approximately 16:6 74:7 75:19 78:4 87:22,23 88:1 93:14 94:1,3,4 104:9 119:10,24	ascertain 173:15 asked 15:14 37:15 61:21 62:20 70:16 73:17 78:21 79:14 80:5,6 95:5 110:24 148:16 149:2,23 162:19 163:5,24 181:14 asking 12:7 33:10,12 33:13 37:16 62:13 62:14,24 63:2,2 79:17 94:19 98:11 103:12 111:1,2 115:16,17,17 147:16 148:17,21 149:11 156:2 164:22 171:22 173:15 185:9 201:19 asleep 82:8 86:8 90:14 99:18,20 108:9 113:8,10 118:14,16 123:14 123:19,21 128:22	average 31:16 37:4 42:21 47:3 51:17 55:16 65:7 80:17 84:1 88:15 96:22 97:10,13,16 98:4 98:19 104:23 105:5 105:8,14,17,20,24 106:3 107:9 109:21 109:24 110:9,15,18 111:6,15 112:15 115:2 116:3,9,12 116:18 117:22 120:4,7,13,22 121:7,24 125:2,11

125:17,18 126:16 126:22 127:1,10 128:5,7 131:21 132:3,7,13,17 133:2,22 136:13,18 137:11,18,21 138:3 138:6 139:2 141:17 141:24 142:6,12,15 142:17 143:2,22 151:14 152:17 153:12 155:1,11,13 156:12,21 157:1,5 157:6 158:1 160:7 176:24 177:5 181:5 181:20 182:7,12 184:1 188:15,18 189:1,7 191:8 195:23 196:9,22 197:1 198:7 203:18 204:2,4,10,13 205:1 206:4 211:8 212:1,9,12 214:3 216:9,18,24 217:3 217:13,21 219:19 220:9,18,24	beginning 40:8 75:10 150:12 behalf 1:16 believe 8:15 10:22 12:12 61:19 62:19 69:19 75:6 78:16 104:3 209:14 believes 96:8 147:20 best 4:21 94:5,9 102:1 152:6,8,10 152:13 155:7 177:7 177:8,12,15,16,19 188:12 195:13 208:10,10 223:8 better 5:10 70:16,24 146:16 171:23 178:24 190:14 Beyond 170:5 bigger 13:23 birth 5:13 12:18 Biscayne 2:12 bit 4:12 26:17 150:16 150:16 153:9 156:19 158:15,16 159:1,5,21 170:12 176:4 195:4,20 203:6 209:17 211:5 221:6 blink 161:9 blood 223:11 blow 26:19 blowing 56:1 137:7 188:21,23 blows 31:14 blurry 221:6,14 board 17:7 21:20,22 21:24 22:7,9,11,17 22:23 23:11,13 25:12 29:17 90:18 boat 13:16 14:3,7,10 16:16 33:18 90:2 161:1,16 163:16 166:19 167:4 201:14 boats 13:14,23,23 14:2 16:19 18:12 167:24,24 Bonaire 179:24 180:5,13,16 201:17 boom 163:20 boring 79:2 Boston 211:22	bothering 202:17 Boulevard 1:20 2:12 5:16 boxes 12:16 break 54:20,23 91:24 92:4 93:4,5,7 125:23 126:6 161:24 162:2 210:1 210:10,20 221:16 221:19 bring 159:1 bringing 159:5 broad-minded 70:4 broker 13:6 broker's 12:5 Brookline 2:5 brought 163:5,13 build 178:13 building 178:6,14 built 189:9 Business 6:23 buy 16:16	certificates 7:8 certification 7:1 certifications 15:18 18:2 certify 223:4,10 224:17,19 cetera 111:20 154:6 175:12 change 61:10,13,15 74:8,11 75:20 80:1 93:14 96:8 102:3 102:11,14,21 103:17,20,22 104:1 104:5 131:24 148:6 148:9,13 150:18 151:6,8,13 153:8 156:18,24 157:4,10 157:17,24 160:1,14 160:20 163:15 164:16 165:7 167:14 168:9 169:19 170:2,18,24 171:6 172:4,13,13 172:22 173:6,7,10 173:21 174:4,23 175:7 177:21 178:20 179:2,7,16 180:19,22 181:24 185:7,8,12,19,22 186:4 187:5,8,13 187:16,18 188:1 changed 61:2,5,8 64:13 77:14 78:4 94:1,3 102:5,8,10 104:13 150:15,24 152:16,24 153:11 157:21 163:10 173:16 177:22,23 187:22 changes 26:17 33:18 40:6 83:22 87:16 91:19 114:23 120:1 125:5 131:18 136:15 141:21 224:2 changing 162:22 184:23 channel 140:17 charged 23:22 charter 16:13,15,16 16:17 chartered 16:20	charts 22:9,11,15 24:12,15 check 20:6,9 172:17 checked 11:5,5,6,7 checking 20:4,4 choose 222:7 circles 12:4 circumstances 165:18 civil 1:17 15:22 claim 15:12 17:23 claimed 123:4,5 claiming 123:1,2 clarification 40:5 47:2 58:10 67:15 158:21 165:12 179:6 clarified 93:1 clarify 12:22 40:4 50:6 58:8 62:22 70:2,3,6,7 89:24 98:24 137:4 163:14 164:1,18,24 209:12 218:14 clarifying 15:23 41:3 clarity 50:12 71:9 194:20 clarity's 185:6 classes 6:22 18:4 clear 19:15 33:9 37:19 39:6,19,23 40:1,2,3,18,19,21 40:23 62:3,7 69:2 94:11 95:23 102:6 147:21 161:3 166:18 167:7 173:5 173:20,21 185:10 190:18 cleared 25:7,13 clearest 5:9 clearing 27:6 clearly 76:16,17 103:12 client 50:8 79:2 115:16 148:23 171:18 203:8 close 26:16 57:9 93:13 114:9 180:4 180:7 closer 70:10 114:10 114:11 closest 22:6 30:9
--	---	--	---	---

35:18 42:1 45:23 49:19 50:18 54:2 60:3 72:18 82:24 86:21 91:5 101:1 109:1 119:7 124:12 130:23 135:20 140:23 187:4 200:6 cold 211:23 collision 14:23 colloquy 80:7 come 62:13 92:22 180:1,13 217:7 comes 31:13 167:7 comfortable 221:11 coming 27:22 45:16 148:13 163:7,19 211:19 220:17 commencing 1:21 comments 96:7 commercial 16:10 Commission 223:21 commit 151:24 committing 75:21 Commonwealth 1:19 223:4 communications 23:17 compass 30:22 150:24 175:6,9,10 175:11 176:10,14 176:16,21 completed 174:22 180:18 completely 209:23 222:4 computer 129:17 concerned 221:14 confer 64:17 confirm 27:22 confusion 146:13 consider 167:6 considering 209:22 210:3 constant 26:7 consult 23:1,4 consume 29:20 35:2 41:10 45:1 48:24 53:15 59:15 72:7 82:13 86:10 90:18 100:14 108:14 113:14 118:20 124:1 129:2 135:1	139:20 186:17 193:4 200:3 208:3 215:8 219:16 consumed 23:14 contact 30:12 36:1 42:3 46:6 50:23 54:9 60:9 72:21 73:14,21 83:6 87:6 91:13 101:16 109:10 114:13 119:13 124:18 131:8 136:5 141:9 172:5 context 165:22 contexts 146:9 continue 26:19 66:3 70:23 92:17,23 96:13 172:18 184:24 continuing 95:18 control 178:15 controls 169:6 copied 10:4 copy 10:1 corner 25:21 57:10 57:12,15,17,20 93:20 correct 25:9 27:24 30:23 36:8 67:23 75:2 77:12 78:1,5 152:18 162:24 163:6,20 166:2 172:24 174:5,6 177:11 186:1,2 194:21 206:2 209:13 222:6 correction 155:10 172:11 224:6 corrections 224:3 correctly 25:1 64:12 74:14 75:1 104:12 104:15 150:6 151:7 151:10 152:13 153:2,14 154:17 162:18 172:21 174:2 188:20 costs 16:17 counsel 8:15 couple 21:23 35:23 46:3 49:21 course 4:22 10:3 22:14 25:17,23	26:1 28:22 29:1 30:16 32:22 33:18 33:24 34:1 36:14 40:21 42:13 46:16 46:19 50:16 51:9 55:4 60:22,24 61:3 61:5,8,10,13,15 62:2 63:9,12,15,18 63:24 64:3,6,9,13 64:23 68:15 74:4,8 74:11,16,24 75:17 75:20,23 76:2,5,8 76:11 77:14 78:4 79:23 80:1 83:15 83:22 87:15,20,24 91:19 93:14 94:1,3 94:15 96:8 100:3,8 101:24 102:3,5,8 102:10,11,14,21,23 103:6,15,17,20,22 104:1,5,9,13,21 109:21 114:20,23 119:21 120:1 125:2 125:5 126:1 130:10 131:16,18 136:13 136:15 141:18,21 148:6,9,13,14 149:19,20 150:4,16 150:18,24 151:6,7 151:8,9,13 152:16 152:24 153:8,11 155:10 156:17,24 157:4,10,17,24 160:1,14,20 161:10 163:15 164:16 165:2,5,7 166:7 167:14 168:9 169:18 170:2,18,24 171:6 172:2,4,10 172:22 173:6,7,10 173:14,16,21 174:4 174:5,16,21,23 175:3,7 176:2,5 177:21 178:1,4,20 179:1,7,16 180:18 180:22 181:2,24 184:23 185:4,7,8 185:12,15,18,21,22 186:4 187:5,8,12 187:16,18,19,20 188:1,5,6,9 194:17 195:1 202:22	203:10 209:5,9,18 210:14,15 211:3 216:7 220:7 court 1:1 19:14 75:3 78:18 145:22 courtesies 4:15 cover 103:12 covered 78:11 215:19 craft 16:10,11,12 creating 146:13 crew 11:21 17:3,16 17:20 18:20 19:2 crossed 11:6 Curacao 70:14 179:24 180:5,13,16 201:17 currency 7:12 current 5:14 15:17 15:17 28:1,4,4,23 29:1 32:7,10,24 33:19 38:5,8 43:10 43:13 47:17,19 52:8,11 56:21,24 66:23 67:2 81:5,8 84:19,22 89:6,9 97:13,16 106:1,3 111:12,15 116:15 116:18 121:4,7 127:7,11 132:24 133:2 138:3,6 142:23 143:2 151:21 157:18,20 158:2 183:2,5 190:1,3 197:8,10 204:20,23 205:1 213:8,10 217:11,14 currently 15:14 custom 6:1 customs 25:7 cut 168:11	day 92:12 148:24 150:6 153:21 154:3 154:12 169:24 170:12 221:20 222:3,5 223:15 224:21 days 146:21 dealing 62:24 debating 62:1 December 14:16 17:9 17:10 19:22 21:10 25:2,5,16 46:15,18 51:8 55:3 60:21 63:10,13,16,19 64:1,4 66:9 74:3,9 74:12,16 75:24 76:3,3,6,9,12 93:24 94:16 95:2 96:16 96:20 101:22,23 104:6 106:17 114:21 119:23 149:21 154:6 172:23 176:1 209:11 210:13 decided 21:11 178:20 179:1 decisions 166:14 Defendant 2:14 define 210:16 defined 165:4 defining 33:4 definitely 67:11 definition 33:8 164:20,21 165:24 166:1,10,16 167:2 167:11 184:24 definitions 165:14 degree 6:17 174:15 175:10 187:21 degrees 25:23 30:22 31:1,2 34:2,3 61:3 61:14 64:14 74:7,8 74:11 75:20,23 77:15 78:4 87:23 88:1 93:15 94:1,4 102:2,3,11 103:1 103:16 104:10,17 119:24 125:4 131:17 136:14 150:2,5 151:9 173:9,14,17 174:5 174:20 175:15,19
---	--	--	--	---

175:20,22 176:7 187:21 188:14,14 195:17,21 202:24 203:2 216:8 220:8 depart 25:5 departed 25:2,8 departing 20:7,10 21:14 22:15 depends 21:5,8 33:12 57:8 depo 7:24 deposed 4:3 6:4 deposition 1:15 3:2 4:11 80:8 148:19 223:5,7 224:2 describe 20:24 129:17 130:14 169:2 170:6 description 18:10 desired 224:3 detailed 11:18 62:14 details 11:10 devices 24:2 dictionary 165:13 166:1 difference 21:3,6,9 different 32:1,3 33:15 37:16 148:8 159:11 167:1 187:19 differently 148:16 149:18 difficult 70:19 151:20 152:20 154:21 177:2 Diplomate 1:18 223:2 direct 165:4 166:6,11 166:11,19 directing 166:20 185:3,14,20 direction 27:19 28:1 31:3,7 32:4,7 33:1 33:1 37:2 38:2,5 42:18 43:10 46:23 47:14,17 51:14 52:5,8 55:13 56:15 56:18,21 65:4 66:20,23 74:17,24 77:8 80:14 81:2,5 83:19 84:16,19 88:5 89:3,6 96:19	97:10,13 105:6,21 105:24 110:6 111:9 111:12 115:8,11,13 115:24 116:15 119:24 120:10 121:1,4 125:18 127:4,7 132:3,5,20 132:23 136:21 137:24 138:3 142:3 142:20,23 153:1 154:17 157:11,18 157:20 163:11 174:19 178:8 181:12 182:16 183:2 188:19 189:14,18,24 196:6 197:4,7 204:1,2,16 204:19,22 210:17 211:7,11,14 212:15 212:17,19 213:4,7 215:16 216:15 217:7,11 220:15 directly 195:12 discontinue 169:8 discourteous 5:1 discussed 15:20 discussing 74:22 Discussion 92:15 display 130:15 distance 21:16 60:6 70:7 219:19 DISTRICT 1:1,2 dock 25:21 document 7:22 9:2 10:21 11:1 12:21 13:8 documents 8:15 9:10 doing 54:18 82:4 92:2 146:13 191:19 192:6 207:1,9 214:16 219:11 Domingo 193:17 double-check 78:15 doubt 175:14 downwind 178:14 drank 199:23 drink 29:20 35:2 41:10 48:24 53:15 59:15 72:7 82:13 86:10 90:18 100:14 108:14 113:14 118:20 124:1 129:2	135:1 139:20 170:11 186:13,17 193:4 200:3 208:3 215:8 219:16 drinking 207:22 drinks 45:1 due 33:18 211:6 duly 4:2 223:6 E earlier 15:20 43:6 148:6 earliest 104:8 early 7:5 25:6 154:12 163:6 easier 8:23 159:6 easily 201:14 east 25:19,22 27:22 31:13 42:20 46:24 51:16 151:1 175:11 175:16 180:10 189:16 195:9 201:23 211:6,13,19 212:20 216:17 217:9 220:17 east/northeast 132:6 136:23 137:6,7 142:5 181:17 easterly 26:15 30:20 30:21 31:3,11,11 31:12 36:17 37:3 42:14 46:20,24 51:10 55:15 65:6 70:13 74:17,24 75:16 76:21,24 77:4,8 80:16 83:21 88:9 96:21 102:23 105:7 116:2 120:12 125:20 153:3,6 177:23 211:4,18 216:17 eastern 102:18 173:8 eat 170:11,12,13 186:13 eating 192:21 199:23 207:22 education 6:9,11 effect 178:17,17 either 14:23 24:12 28:22 35:14 45:12 58:18,22 72:7 99:4 100:14 103:24	107:22 163:24 185:18 186:3,4 202:23 electronic 24:12 email 8:5 9:20,21 embark 20:1 emergency 21:15 23:17 140:17 employed 5:17 endeavor 167:7 ended 175:3 engaged 99:3 100:8 engine 15:6 28:23 29:4 38:21 44:3 98:12 151:16 engines 34:5,8,10,12 38:16 43:22 44:1 48:2,5,7 52:19,22 57:23 58:2 69:24 71:13 81:16,19 85:8,11 89:17,20 98:1,4,7,20 107:3 107:10,13 112:10 112:15,18 117:10 117:18,22 118:2 121:19,24 122:3 128:2,7,11 133:19 133:22 134:2 138:23 139:2,6 143:19,22 144:2 160:5,8,11,16 177:4 183:23 184:1 184:5 191:5,9,12 198:5,8,11 203:20 203:22 205:19,21 206:5,8 213:24 214:4,7 217:19,22 218:1 Enter 224:4,4 entered 167:18 entering 187:18 entire 24:15 42:9 46:12 51:5 54:15 60:18 73:24 87:9 91:16 98:2 101:19 107:5 108:6 109:13 112:13 114:15 117:13,16,20 119:16 121:22 124:21 130:5,7,11 131:12 133:20 136:9 138:24	141:12 143:20 158:10 163:14 170:20,22 172:8 187:24 194:10 200:19 205:20 208:23 215:11 entries 97:19 111:18 116:21 138:9 205:6 213:13 217:16 entry 28:10 32:13 38:11 43:16 47:21 57:3 67:5 81:11 85:1 89:12 106:6 127:13 133:5 143:5 158:4 183:7 190:6 197:13 205:5 equipment 20:4 90:4 100:7 equipped 24:20 ERRATA 224:1 especially 19:8 ESQUIRE 2:2,9,10 essentially 79:2 establish 62:9 69:6 77:3 93:23 established 67:16 estimate 93:13 101:13 111:2 114:6 114:9 120:7 131:2 131:5 135:23 136:2 141:2,5 155:3 172:2 187:11 200:14 208:15,19 estimation 153:16 171:12 177:7,8,12 177:15,16,19 et 111:20 154:6 175:12 evasively 122:24 evening 25:6,9,16 26:5 93:24 154:20 event 21:15 everybody 92:9 94:13 115:21 146:15 148:23 everybody's 94:13 exact 25:23 66:1 75:18 150:22 175:15 203:4 exactly 16:9 17:5 20:14 21:2 22:4 26:12,14 27:21
--	---	---	--	--

30:20 41:2 50:20 60:23 61:9 62:10 62:17 70:19 77:9 79:8,24 87:21 88:7 101:3 106:13,15 111:4 115:12 145:8 149:3 150:7,19 151:15 153:22 154:10 155:17 156:1,2 158:14 159:21 170:1 174:15 175:3 176:7 176:22 182:11,18 186:10 200:13 205:24 Examination 3:3 4:5 Excellent 50:11 excited 4:24 excitement 5:2 excuse 12:15 54:10 63:23 64:21 87:13 107:7 113:2 125:17 128:6 142:16 157:5 178:23 194:8 221:3 execute 80:1 83:22 114:23 125:5 179:1 187:18 executed 156:17,24 157:4,11,17 158:1 159:24 160:15 169:19 170:2,18 171:1,6 172:5 174:4 179:15 180:22 181:24 187:5,8,12,15 executing 175:7 180:18 exhausted 126:4 162:1 exhausting 92:3 exhaustion 146:14 209:24 exhibit 3:15,24 7:23 8:16 222:11 exhibits 3:13 8:19 expect 36:12 expires 223:21 explain 58:9 112:8 211:16 explained 160:24	fact 146:5 fair 148:23 fall 203:6 family 17:6 far 35:21 46:1 50:18 68:17,22 70:20 86:24 88:2 91:8 119:10 130:19 135:8,23 136:2 140:9,10 141:3,6 171:2,12 179:22 186:24 187:11 193:24 200:15 208:19 feel 146:15 164:1 221:23 feeling 150:13 176:8 feet 27:3,5,12 155:23 156:3,5,7,10,13,20 156:21 189:12 felt 170:7 figure 10:17 22:5 76:22 fill 11:1,3 12:8,14 filled 11:9,12,13 22:3 find 9:5 70:24 92:7 201:11 fine 95:20 162:3 165:20 210:3 finish 4:17 19:9 77:20,21 126:9 148:19 finished 79:14 175:6 firm 4:8 first 4:15 7:21 11:5 13:16 14:3 19:12 61:21 66:2 five 8:15 10:11 54:23 79:12 148:17 154:23 five-minute 54:20 fix 161:11 fleet 16:19 Florida 2:13 12:2 focus 221:24 focusing 221:15 follow 203:5 following 11:8,23 follows 4:4 food 21:20,21,22 29:20 35:2 41:10 45:1 48:24 53:15	59:15 72:7 82:13 86:10 90:18 100:14 108:14 113:14 118:20 124:1 129:2 135:1 139:20 186:17 193:4 200:3 208:2,3 215:8 219:16 foot 155:21 forecast 20:12 foregoing 224:18 forgive 15:15 112:7 211:24 forgo 147:24 148:11 forgot 201:4 form 3:15 8:18,20 39:5,18 61:17 67:14 68:2 71:4 73:4 78:10 80:4 88:10 90:6 94:17 95:4 96:17 98:10 102:4 110:20 115:15 117:14 122:21 166:8 174:24 175:8 190:17 195:11 formal 18:1 format 19:8 forms 23:17 forth 93:23 95:10 223:6 forward 9:19,21 found 193:16 four 79:12 154:22 four-hour 195:2 209:5 215:20 frame 63:4 68:23 69:3 94:20 96:5,9 102:6 215:19 218:14 frames 95:24 147:4 frankly 146:11 Friday 1:20 front 130:1,4 froze 115:21,21 frustration 146:14 fuel 21:24 22:6 180:15 full 4:22 5:13 12:17 12:17 190:19,22 209:7 fully 22:3 24:18	functioning 24:5 30:1,3 35:8,11 41:17,20 45:6,9,10 49:5,8 53:20,23 59:21,24 72:12,15 82:18,21 86:15,18 90:23 91:2 100:19 100:22 108:19,22 113:19,22 119:1,4 124:6,9 129:19 130:17,20 135:6,17 140:7,20 170:22 171:3 186:22 187:1 193:9,13,21 207:12 208:8,13 furling 159:8 further 176:4 191:3 197:22 202:11 205:14 223:10 224:19	158:24 188:5 202:23 210:18 211:4 generator 23:23,24 getting 148:15 161:22 209:17 221:6,13 Girt 1:20 5:16 give 4:12,22 13:20 17:11 18:10 22:5 27:11 30:22 63:3 63:22 68:3 70:16 71:5 88:11 101:13 114:6 141:2,5 147:10,12 149:4 150:22,23 171:7,12 171:22 182:21 187:10,11 201:21 203:2,4 208:15,19 given 40:14 148:5,7 223:9 giving 40:15 150:22 162:8 go 10:16 21:11,16 25:22 34:1 40:5,10 63:7 65:23 78:13 92:13 93:19 94:10 94:14 99:24 102:24 126:7 146:5 150:16 153:3 155:24 158:22 161:11,20 167:20 172:17 174:19 178:13 179:12 180:1,3,6 180:14,15 187:22 201:4 202:4 206:24 212:21 216:2 220:2 222:9 goes 31:1 33:24 161:8 going 7:21 8:16 9:21 33:3 39:17 40:8 62:11 63:7,8 70:4 75:5 78:7 79:1,6,11 79:17 87:14 93:23 95:10,18 102:24 125:21 140:11,15 148:12,24 149:14 151:17 158:20 162:14 163:12 166:3,24 171:18 175:17 178:15
--	--	---	---	---

F

179:5 185:5 189:19 194:19 195:12 201:19 202:23 209:21 210:4,6 211:19 212:22 215:14,18 221:10 221:19 Goldman 2:2,3 3:3 4:6,8,9 7:23 8:3,8 8:12,13 9:1,6,15 10:16,19 33:6,7 39:7 40:3,7,18 41:2 41:4 50:5,11,16,17 54:18,22 55:1 61:20 62:4,5,22 63:5,6 64:20 65:13 65:19,23 66:5 67:18 68:5 69:1,4 69:21,23 71:7,8,11 73:7,18 74:19 75:2 75:9,14 76:19 77:2 77:6,10,18,24 78:13,18 79:8,19 79:21 80:8,10 88:14 90:7 91:23 92:5,13,16,22 93:12 94:21,22 95:9,16,20 96:6,11 96:14 98:15,18 102:9 109:18 110:21 111:4,5 115:17,19 117:17 117:19 122:24 123:7,18 125:8,10 126:1,11,15 136:24 137:2 145:24 146:15,22 147:5,24 148:20 149:12,15 149:24 158:22 159:3,12 161:18 162:2,12,18 163:2 163:18,23 164:7,11 164:13,22 165:2,3 165:11,23 166:2,5 166:9,15,22 167:6 167:10 171:21 172:15,20 173:4,12 173:23 174:1 175:1 179:11,14 180:21 181:19 182:24 185:10,11 189:23 190:21 194:22	195:18 196:18 201:3 202:16,19 203:10,12 209:14 209:18,20 210:2,9 210:11,20,24 213:3 215:22 216:1,4 218:16,19 220:1,4 221:16,18 222:1,4 222:9 good 4:7,14 6:4 19:20 33:22 77:2 104:16 106:19 111:9 130:11 137:9 161:23 166:22 172:15 gotten 148:4 162:16 173:13 GPS 24:2 30:3 35:11 35:14 41:20 42:8 45:9,12,18 46:11 47:22 49:8,11,14 51:4 53:23 54:14 57:5 59:3,4,7,24 60:14 67:7 71:24 72:15 81:13 82:4 82:21 85:3 86:18 89:14 91:2 97:21 99:4 100:1,22 106:8 108:22 111:20 113:22 116:23 119:4 124:9 127:15 130:20 133:7 135:17 138:11 140:20 143:7 158:6 161:6 169:1,5 171:3 183:9 187:1 190:8 192:9 193:21 197:15 205:8 207:3 208:12 213:15 217:18 219:13 GPSs 24:5 gradually 159:9 graduate 6:7,15,20 great 1:7 4:9 8:12 36:20,22 54:22 181:8 greater 155:1 177:5 177:13,17 181:7 182:11 Grenada 12:1 21:19 179:22 202:3	grounding 15:4 guess 5:7 11:13 35:23 35:24 115:16 148:15 159:17 171:19,22 172:2 182:22,22,23 189:21 196:16 200:17,18 203:9 204:12 212:23,24 guessing 14:11 101:13 171:20 177:12 182:21 187:10 196:20 200:14 208:15 gusting 26:22 31:19 37:7 42:24 47:5 51:20 56:4 65:10 66:10 84:4 88:18 97:1 105:11 110:12 116:6 120:16 126:19 132:10 137:15 142:9 182:5 189:4 196:12,19 212:6 216:21 220:21 gusts 155:4 guy 13:6 <hr/> H <hr/> half 24:8 92:6,8,23 93:1 half-hour 62:13,18 63:7 79:5 92:11,18 92:20 93:4,5,6,7 hand 223:14 handwritten 8:18 Hang 9:5,13,16 10:15 11:19 23:5 happen 149:7,8 happened 58:15 62:17 96:9 147:18 147:20 149:3,5 179:8 185:8 happening 62:15 happens 148:24 149:13 happy 221:16,19 harassing 123:17 hard 4:16 75:21 147:16 Harvard 2:4 Harvey 2:10 10:4	he'll 148:2 head 5:4 164:4 183:15 headed 175:6 heading 27:23 77:3,8 headsail 67:13 106:20,21 112:1 117:4,5 121:14,15 127:20,21 133:12 133:13 138:16,17 143:12,13 158:9,10 158:12,15,17 159:9 159:14,19,20 177:3 183:12,13,17 190:11,12,15,22 191:3 197:19,21 203:21 205:13,14 headway 174:18 HEAFITZ 2:10 10:1 hear 115:21 140:11 140:13,14,16,19 169:4 heard 22:19 146:4 height 31:22 32:1 43:3 88:24 105:14 110:15 116:9 120:19 126:22 132:13 137:18 142:12 155:11,13 155:15 156:12,21 157:5 182:7,7 189:7 196:22 204:10 212:9 216:24 220:24 held 18:1 Hellman 2:3 4:9 helm 29:10 34:17 38:24 39:2,8 44:6,8 48:10,12 53:1,3 58:6,11 71:15,17 81:22,24 85:14,16 85:19,21 89:23 90:1 98:23 99:7 160:18,21,23 161:3 161:4,14 help 74:19 94:13 hereinbefore 223:6 hereunto 223:14 hesitate 66:7 hey 152:21 high 6:7,9,11 21:12 37:21 155:17,21,23	156:1,2,3,5,7,10,13 higher 156:19,21 hire 17:3 hold 15:17 90:3 136:24 156:9 180:19 200:24 220:1 Holland 18:13 honestly 151:15 hour 54:19 55:20,21 92:6,8,23 93:2 120:12 130:9 146:21 149:7,8,8 149:14 hourly 124:24 hours 39:22 145:10 148:17 154:23 Huh 144:22 hundred 22:6 137:10 200:15 Hurricane 23:7 hurt 15:8 <hr/> I <hr/> idea 180:3 identification 222:12 identify 12:7 21:14 immediately 94:10 immigration 25:21 implies 102:5 impolite 19:7,19 inaccurate 12:21 13:1 inboard 11:23 include 14:18 185:10 including 13:3 166:12,13 185:8 increase 155:14 increased 20:22 153:21 154:1,9 155:20 increasing 155:18 increment 62:18 92:20 103:13 215:24 incremental 147:4 148:18 increments 62:13 63:7 92:12,18,24 94:14 96:1 149:14 215:20,21 INDEX 3:1
---	--	---	---	--

inform 172:1	iteration 162:19	102:20 104:11	Lakes 1:7 4:9	litigation 7:17
information 12:22,24 92:19	<hr/> J <hr/>	108:13 110:2,5,11	land 26:16 35:20,21	little 26:17 40:11
inquiry 95:22 123:16	Jersey 1:20 5:16	110:14,17 111:8,11	131:6 136:3 141:6	150:16,16,20 151:5
instance 7:2 165:15	joined 13:21	111:14,17 112:17	171:13 178:22	152:2 153:9 156:19
instant 9:7	journey 79:6	112:20 114:3,5	179:3,18 187:12	158:15,16 159:1,21
instruct 50:8 212:23	jump 40:20	115:4 116:8,11,14	194:4 201:23	163:9 170:12
INSTRUCTIONS 224:3	June 1:21 223:15,21	116:17,20 117:24	208:20	174:18 175:22
instruments 169:2	<hr/> K <hr/>	118:8 120:6,21,24	landlubber 20:24	176:4 194:20 195:4
185:23,24 191:22	Karen 1:17 75:9	121:3,6,9 122:5	28:21 112:7 159:17	195:20 203:6
193:2 198:20 199:3	145:23 164:7 223:2	128:9,13 129:7,13	landlubbers 137:3	209:17 210:16
199:13 207:11	keep 23:22 93:19,23	129:17 130:19	large 40:24	211:5 221:14
214:20	148:21 210:6	131:1 132:2 133:24	Laser 13:17 14:4	living 5:20
insurance 1:7 4:10	keeps 202:17	134:3,21 135:8,20	law 4:8	loads 23:6
10:24 15:11 17:23	kept 192:21	136:20 137:14,17	lawyers 7:2	located 130:15 161:6
insurances 16:17	kind 6:11,17,24	137:20,23 138:2,5	learn 47:1	locating 24:23
intend 102:21	13:20 149:11	138:8 139:7 140:9	lee- 33:17	log 32:13
intended 102:14	kindly 10:1	140:10 142:2,8,11	Leeward 22:12	logbook 28:11 38:11
intention 21:16	knots 26:18 36:20,22	142:14,19,22 143:1	leeway 28:18 32:19	43:16 47:21 57:3
interested 223:12	36:24 55:21,22	143:4,24 144:3,15	32:21 33:5,5,8,11	67:5 81:11 85:1
interfere 163:12	151:19 152:5,9,17	145:5 146:23	33:14	89:12 97:19 106:6
interject 194:19	153:15 154:2 155:1	148:22 149:24	left 12:16 30:2 56:2	111:18 116:21
221:10	177:5,14,18 182:4	150:7,10,20 151:15	180:15	127:13 133:5 138:9
international 6:18	203:21	151:20,21 152:19	legal 165:24	143:5 158:5 190:6
7:5	know 5:7,8 8:23 9:9	152:19 153:4,13,23	length 105:17 110:18	197:13 205:6
interrupt 209:21	10:14 14:14 16:22	153:23,24 154:13	110:23 111:1,6	213:13 217:17
interrupted 145:22	17:5,15,18,18,19	154:18,21 156:1,22	116:12 120:22	logical 31:15
interval 65:1,4,7,10	17:21,22,24 18:1,3	157:3,8,19,20	127:1 137:21	logs 183:7
65:16 66:3,8,12,18	18:4,6,7,9,18,24	158:1 159:16	142:17 157:1,6	long 8:4 27:14,16
66:21,24 67:3,6,9	19:4 22:19,22 24:9	160:17 162:10	182:13 197:1	37:23 43:7 47:11
71:2,13,15,18,23	24:19 26:6,7,10,12	167:16 168:22	204:13 212:12	52:2 56:12 66:17
72:1,3,5,8,10,13,16	26:13,24 28:7,18	170:1,7 171:7,24	217:3	80:23 84:13 97:7
72:19,22 74:22	28:24 29:3,9,17	176:3,7,15 181:6	lenient 146:10	150:3 222:3
75:10 78:7 79:5,13	30:8,10,20 32:9,12	182:2,9,11,20	Leopard 16:5	longer 54:5
93:6 124:24 125:15	34:4 35:21 36:19	184:3 186:24 187:4	let's 9:17 10:16 61:23	look 12:19 129:18
125:19 136:9	36:23 45:20,22	187:7 188:13	92:13 94:10 101:22	176:10,13,15 180:9
137:12 142:15	46:1,22 47:13,18	189:22 191:8,11	149:13,16,16	looked 10:13
209:5	47:20 49:17,21	192:20 193:14,24	179:12 184:24	looking 63:4 82:5
intervals 110:24	50:18 54:4,22 57:8	194:3 199:22 200:6	185:10 216:2	129:19 130:1 192:8
intervene 39:17	59:9 61:3 63:11	200:10,13 203:19	221:22 222:5,9,9	192:8
62:11 189:19	65:9,12 67:1,4 68:1	203:24 205:16,23	level 20:21 147:16	lookout 29:14 34:22
invaluable 202:17	69:15,17,20 70:4	209:7 211:4 212:24	levels 20:22	41:5 44:17 48:20
iPad 23:5	73:10,13 79:9	212:24 213:1,1,2	license 6:19 7:5	53:11 59:10 72:1
Iridium 23:19	80:13 81:1,4,7,10	213:21 217:12,15	life 192:8	82:6 86:4 90:12
island 180:1	83:5 84:6,12,15,21	218:11 220:11	lifetime 13:10 17:14	100:9 108:11 113:6
islands 21:17 22:12	84:24 85:13,20	221:22 222:2	light 149:9	118:12 122:12,16
22:13 102:13	88:4,17,20 89:8,11	knowledge 62:14	limited 63:3	122:19 123:3,5,8
167:23 179:23	89:22 91:7,9,12	94:5,9 102:1 147:3	line 76:15 95:21	123:10 128:20
180:9,10,16 202:12	94:24 95:3 96:10	152:7,8,10,14	123:15 146:12	134:16 139:14
issue 6:17 164:2	97:15,18 98:6,22	157:13 172:1,7	224:3,6	168:15,17
issued 7:6	101:9,12 102:15,16	208:10 223:8	Linjett 13:24	lose 178:15
		<hr/> L <hr/>	list 79:12 147:7	losing 209:23
			listen 50:8	loss 14:21 16:24

17:20 19:5 147:13 lot 130:10 147:23 loudspeaker 169:4 lower 189:3 Lucia 202:7 lunch 91:24 103:2	89:24 90:2 92:13 93:20 137:6 140:16 151:5 155:6 159:15 160:23 161:3 164:18,24 167:4,8 171:10,14 175:10 175:14 183:19 188:21 195:12 meaning 99:7 166:18 195:21 211:19 means 16:15 27:22 31:12 33:14 112:8 meant 162:23 mechanism 219:5 medication 170:14 186:15 192:22 199:24 208:1 medications 17:1 19:5 Melody 7:18 14:15 14:16,18 15:24 19:21 memory 174:17 mentioned 201:13 merely 162:22 met 17:6 Miami 2:13 Michael 2:2 4:8 8:19 68:21 146:19 148:14 158:23 163:4 209:12 215:18 Michael's 9:21 Michelle 2:9,11 7:23 9:7 40:3,19 41:3 50:5 54:18 65:14 74:19 80:9 91:23 145:24 162:16 163:2 165:11 173:18 Michelle's 70:3 mid 189:3 midday 153:13 midnight 57:18 61:7 61:19,22 62:20,21 64:13 67:21,24 68:8 70:12 76:2,18 83:14 87:12,15,18 94:7,12 95:2 96:16 96:20 101:8,11,14 101:17,22 104:1 175:24 176:11,20	176:23 180:23 181:22 182:1 185:13,19 186:5 188:1,4,6,10 191:1 191:16 192:3 201:6 211:2 215:14 216:5 218:16 Mike 50:7 miles 35:23 46:3,4 49:22 50:1,3,21 54:7 55:20,21 68:19,19 69:7,10 69:12,14,16,18 70:13,17 72:24 73:3,8,11 83:3 87:3 91:10 101:4,7,10 101:14 102:18,19 109:4,7 114:1,4,6 124:15 131:2,5 141:2,5 171:8 187:7 194:3 200:10 200:15 208:16,20 Mill 11:21 minimized 159:9 minute 156:9 minutes 26:2,8,20 210:3,21 misspoke 128:6 162:23 mistakes 126:3 misunderstand 166:3 misunderstanding 19:13 misunderstood 50:4 68:6 model 24:4,6 moment 63:8 64:17 68:3 69:7,19,21 71:5 74:21 77:10 108:10 109:16 125:8 136:24 145:18 161:18,19 167:17 172:17 173:13 177:10 179:12 180:19 188:1 202:14 209:24 moments 74:15 Monday 194:21 209:13 monitor 100:1 140:17 161:7 193:2	monitored 167:19,21 monitoring 58:14 59:4,7 100:7,7 135:9 140:1,4 191:21 198:20 199:3,13 207:3,11 214:20 219:13 months 11:8 moorings 16:13 morning 4:7 19:21 25:2 63:10,13,16 63:19 64:1,4 75:24 104:5,14,19,20,20 106:14,16 107:18 107:18 109:20,20 112:24 114:19,19 114:21 118:7 119:20,22,23 125:6 125:12 129:15,15 129:22 131:14,15 136:11,12 137:12 137:13 141:16,16 141:19 145:16,17 147:11,13 149:10 149:20 150:3 151:12 152:14,22 154:12 155:9 156:16,23 157:9,16 157:24 159:23 160:13 164:15 167:13 168:7,14,20 169:17 170:17,23 172:3 191:17 192:4 194:14,14,18,18 195:24 196:1 197:23 200:24 201:7 202:14,20 203:17 205:2 215:15 216:6 220:6 221:2,3 motored 28:16 move 13:7 multitude 146:9 mute 172:17	Naranjo 17:3,13,19 17:22 18:1 19:4 78:22 169:19,20,21 169:22 Naranjo's 18:11 narrow 147:19 152:20 National 23:7 nausea 199:22,23 207:22 nauseous 170:8 186:8 192:20 nautical 22:17,21 35:23 46:3,4 50:21 68:19 70:17 73:8 73:11 83:3 158:24 navigate 165:4 166:1 166:6 167:17,23 168:6 202:2,6,9 navigated 178:21 179:2,17 180:5 navigating 19:1 29:12 34:19 39:11 39:14 44:11,14 48:14,17 53:5,8 59:1 71:22 82:2 85:23 86:2 99:22 99:23 100:4 134:10 134:13 164:17,19 165:1,8 167:12 184:21 185:1 navigation 24:22 82:4 100:2 165:21 166:24 Navy 13:21 15:21 nearest 171:16 necessary 5:10 14:13 68:4 164:1 215:23 216:1 need 71:9 77:21 93:10 102:6 126:5 137:3 161:19,20 163:14,23 164:4 172:16 needed 21:18 needs 58:9 125:23 Netherlands 18:22 never 79:4 123:4 157:8 171:22 172:2 200:18 new 1:20 5:16 165:12 165:13 174:16
M				N
M 2:9,11 M&Ms 103:4 126:9 main 24:9 mainland 102:12 maintain 7:11 19:15 26:1 100:2,8 178:1 178:4 maintained 26:7 majority 216:8 making 28:18 32:19 71:10 166:13,13 174:22 200:22 manipulate 169:15 manual 169:9 map 180:10 marine 6:13,15 mark 8:17 marked 222:11 marketing 6:23 marriage 223:11 Martin 1:9,15 3:2 4:1 5:15 9:3,9,19 10:7 93:4 98:14 147:14 223:5 224:2,17,24 Martinique 202:10 202:11 Massachusetts 1:2,19 2:5 223:4 matter 4:10 223:11 223:13 maximize 92:5 maximum 98:7,11,13 98:19 105:2 107:12 110:3 112:18 115:5 116:6 118:1 122:3 125:14 128:10 134:1 139:5 144:1 155:15 160:10,15 184:4 191:11 196:3 198:10 204:7 206:7 212:6 214:6 216:12 217:24 220:12 mean 22:18 28:20 32:21 33:16 65:15				nailed 148:8 name 4:7 5:13 7:16 7:18 8:20 12:17 30:10 named 168:6 Naranja 169:20

nibbling 103:3	180:13 195:9,10,12	190:17 195:11	operating 118:2	passengers 12:3
Niemeyer 2:9,11 8:1	195:22 210:19	196:15	122:4 134:2 144:2	patient 4:22 181:9
8:4,9,19 9:3,8,19	northeast 102:12	observing 135:12	160:11,16 198:11	patiently 4:16,20
9:24 10:3,7,9,11	151:2,3 181:18	214:19,19	206:8 214:7	pause 10:6 64:19
33:3 39:5,17 40:22	188:20,22,23	obtained 112:18	operation 98:13,15	69:22 77:11 109:17
50:7,12 54:21	189:17 195:22	obviously 12:4 68:6	160:5 169:6	125:9 137:1 161:19
61:17 62:2,11,23	196:8 210:19	147:18	operators 11:17	172:16,19 179:13
65:17,20 66:4	northeasterly 26:15	occurred 147:13	opposed 167:4	180:20 201:2
67:14 68:2,21 69:2	125:20 153:3,6	167:15	Opposite 188:23	202:15 209:19
71:4,9 73:4,16 75:2	177:24 195:15,16	office 223:15	order 40:10 92:5	220:3
76:15,23 77:18	196:8 211:23	officer's 6:19	203:8	pay 16:16
78:10,15 79:1,9	northerly 151:4	Oh 10:10 13:19 22:1	orthotics 6:1	paying 50:14
80:4 88:10 90:6	175:18 176:5	46:5 57:22 93:5	outcome 223:12	PDF 8:15
92:2,8 93:1,7,10	187:22,22 195:4,6	115:21 155:22	outrageous 79:3	pending 209:22
94:17 95:4,14,18	195:12,21 203:1,3	164:5	outside 149:9,9	210:9
95:21 96:7,17	203:7,13 204:3	okay 8:4,9 9:23 10:10	overlooking 82:5	people 16:23 159:7
98:10 102:4 110:20	northern 176:5	12:10,19 13:4 14:5	owned 13:9,11,12,16	percent 137:10
110:23 115:15	nose 203:6	14:14 19:10,11	13:22 14:3,8,10,17	perfectly 37:18
117:14 122:21	Notary 1:18 223:3,19	21:11 29:10 33:6	14:20 15:12 16:1	period 66:1 67:10,12
123:4,15 125:21	note 158:18 172:17	37:17 40:18 50:10	17:13	81:6,9,12,14,17,20
126:2 145:23 146:2	224:3	50:12 55:2 66:4,17	owner 13:24 14:1	81:22,24 82:3,6,8
146:19 147:2,14	noted 79:19 95:12	92:5,8 93:2,4,10	Oxford 165:13	82:14,16,19,22
148:14,21 149:22	96:12	98:16 115:23 126:5		83:1,7,9,12,17,20
158:20,23 159:4	notes 78:14	129:13 152:12	P	83:23 84:2,5,8,11
161:22 162:5,17	number 3:14 7:23	162:4,12,13,17	p.m 39:23 42:12	84:14,17,20,23
163:4,19,22 164:3	8:22,24 9:1 27:11	163:18,22 164:7	46:18 55:2 64:9,22	85:2,4,9,12,14,16
164:22 165:20,24	27:12 203:2,4	166:2,17,21 167:9	65:17 74:3,9,12,16	85:19,21,24 86:2,4
166:9,17,21 167:3	224:4	167:22 171:20	74:23 75:11 76:5,8	86:6,8,11,13,16,19
167:9 171:18 173:3	numbers 11:23	173:23 174:7	76:11,24 77:13	86:22 87:1,4,7,10
173:19 174:24	numerous 146:6	180:18 181:17	78:2,8,12 82:10	87:14,16,18 88:3,6
175:8 179:5 181:14		189:22 194:23	83:14 87:14 93:11	88:16,19,22 89:1,4
182:23 185:5	O	202:13,18 203:13	93:11 94:15 95:1	89:7,10,13,15,18
189:19 190:17	o'clock 25:6,9,14,16	203:16 204:1 210:9	96:15,20 101:17	89:21,23 90:12,14
194:19,23,24	26:4,11,13 57:11	210:21 213:2 220:5	103:22 107:6	90:16,19,21,24
195:11 196:15	70:12	221:6,21	126:12,12 162:6,6	91:3,6,8,11,14,17
203:8 209:12,20	obey 4:15	old 13:19	173:1 174:8 181:22	91:20 94:10 95:17
210:21 212:22	object 33:3 68:4 71:6	once 146:16	209:3,10 210:12,23	96:23 97:2,5,8,11
215:18,23 218:14	79:1,11,17 88:11	one-and-a-half	210:23 211:2 216:3	97:14,17,20,23
221:10,22 222:2,7	185:5	145:11	216:3 222:13	98:2,5,8,21,23
night 149:10 175:24	objected 39:18	one-hour 94:14	PA 2:11	99:12,15,18,20,23
180:24 185:13	objecting 123:15	ones 11:8 148:4,5	pace 210:4	100:5,9,12,15,17
195:7	objection 39:5 61:17	open 8:23 9:10 10:15	page 3:2,14 11:4	100:20,23 101:2,20
nitpick 167:16	67:14 68:2 71:4	operate 180:11	12:12,13,14 224:3	103:18 104:24
nod 5:4	73:4,16 78:10	184:14,17 191:23	224:6	105:3,6,9,12,15,18
noon 91:23 103:20	79:19 80:4 88:10	191:24 192:10	paper 22:15	105:22 106:1,4,7
200:24 203:17,22	90:6 94:17 95:4,12	198:17 199:10	part 5:2 11:11 13:24	106:10 107:10,13
205:3 206:1,2	95:19 96:12,17	206:15,18 207:6	100:2	107:16,21,24 108:3
209:2,10 210:12	98:10 102:4 110:20	214:13 219:4,7	particular 70:8	108:12,15,17,20,23
220:6	115:15 117:14	operated 16:1 98:20	165:18	109:2,5,8,11,14,19
north 21:16 150:17	122:21 146:1,2,5	107:13 128:11	parties 223:11	109:22 110:1,4,7
151:1 175:11,16,18	149:22 174:24	139:6 184:5 191:12	parts 11:3,15 12:7	110:10,13,16,19
176:4 179:23	175:8 181:14	218:1	passed 39:21 111:3	111:13,16,19,22

112:5,11,13,16,19 112:22 113:4,6,8 113:10,12,15,17,20 113:23 114:2,13,16 114:18,24 115:3,6 115:9,11,14 116:1 116:4,7,10,13,16 116:19,22 117:1,8 117:11,15,17,20,23 118:2,5,10,12,14 118:16,18,21,23 119:2,5,8,11,14,17 119:19,22 120:2,5 120:8,11,14,17,20 120:23 121:2,5,8 121:11,13,20,22 122:1,4,7,10,12,17 122:20 123:8,10,12 123:19,21,23 124:2 124:4,7,10,13,16 124:19,22 125:3 126:17,20,23 127:2 127:5,8,11,14,17 127:24 128:3,6,8 128:12,15,18,20,22 128:24 129:3,5,8 129:14 130:18,21 130:24 131:3,6,9 131:12,19,22 132:1 132:4,8,11,14,17 132:21,24 133:3,6 133:9,11,14,17,20 133:23 134:2,5,8 134:11,14,16,18,20 134:23 135:2,4,7 135:10,13,18,21,24 136:3,6,11,13,16 136:19,22 137:16 137:19 138:4,7,10 138:13,15,18,21,24 139:3,6,9,12,14,16 139:18,21,23 140:2 140:5,8,21,24 141:7,10,13,15,18 141:22 142:1,4,7 142:10,13,18,21,24 143:3,6,9,14,17,20 143:23 144:2,5,8 144:11 145:1,14,16 146:24 147:11 154:11 155:16 156:14,16,23 157:9	157:16,21,23 158:4 158:8,10,13 159:23 160:4,7,10,13,19 160:22 161:15 164:14 165:6 169:17,23 170:17 171:4 172:3,8 177:13,16 181:5,13 181:21 182:8,14,17 183:1,4,8,11,14,21 184:2,6,8,11,14,17 184:20 185:2,12,19 186:5,18,20,23 187:2,24 188:16,19 189:2,8,15 190:1,4 190:7,10,13,16,20 190:23 191:6,9,13 192:7,11,13,15,17 193:5,7,10,22 194:4,11,13 195:2 195:7,24 196:4,7 196:10,13,20,23 197:8,11,14,17,21 198:8,12,15,18,21 199:2,6,9,12,15,17 199:19 200:4,7,12 200:19,23 202:13 202:20,22 203:14 203:16 204:2,5,8 204:11,20 205:2,7 205:10,15,20 206:5 206:8,11,16,19,22 207:2,7,10,13,17 207:19,21 208:4,6 208:9,13,17,21,24 209:2,10 210:12,14 210:18 211:1,3,9 211:12 212:2,7,10 212:13,16 213:5,8 213:11,14,17,20 214:1,4,8,11,14,17 214:21 215:2,4,6,9 215:12,14,17 216:5 216:10,13,16,19,22 217:1,4,6,10,13,16 217:22 218:2,5,8 218:10,13,20 219:1 219:4,7,10,17,20 219:23 220:2,5,7 220:10,13,16,19,22 221:1 periods 146:16	permitting 102:24 person 58:16 99:1,5 phone 23:19 phrase 70:24 phrasing 4:21 physically 22:14 pick 94:12 221:20 222:5 picked 150:7,10 153:13 154:16,24 pirates 180:11 Plaintiff 1:16 2:6 plan 19:24 165:4 166:6,11,13,14 planned 167:20 planning 23:2 146:19 146:20 166:19,20 185:3,14,20 please 4:24 5:7,13 8:14 12:20,24 15:15 18:10 19:7 19:18 30:18 31:10 40:20 58:9 64:17 66:6 68:3 71:5 75:9 78:19,20 88:12 129:9,12 145:6 150:1 164:7 169:2 178:23 188:8 189:21 194:8 211:16 218:18 224:3 pleasure 16:10,12 plot 22:14 PocketGrid 23:7 point 40:20 52:16 61:2,7 62:12 70:17 102:18 123:17 125:22 131:6 136:3 141:6 150:24 161:15 163:10 171:13 173:8 175:5 175:9,10 176:3,13 176:19 178:22 179:3,18 187:12 191:2 194:1,4 198:23 199:6 201:22 203:20 208:20 218:4,7,10 218:12,20 219:14 219:22 221:11 Pomeroy 1:17 223:2 Ponce 200:8	port 21:17 25:13 30:9,11 35:18,20 42:1,2 45:23,24 49:19,21 50:18 54:2 58:18 60:3 72:18 82:24 86:21 91:5 101:1,3 106:23 109:1 112:4 112:9 117:7,9 119:7 121:17,18 124:12 127:23 128:1 130:23 133:16,18 135:20 138:20,22 140:23 143:16,18 160:1,3 162:20 163:8,20 183:20 187:4 198:2 200:6 205:17 213:19 portion 75:12 78:23 126:13 164:9 ports 21:15 position 36:5 42:7 46:10 51:3 54:13 58:19 60:13,15 positions 58:22 possible 174:18 post 6:11 power 18:14 prefer 183:16 prepared 9:10 present 163:15 pretty 147:21 189:9 previous 195:7 203:13 205:15 Previously 14:17 prior 14:20 15:24 17:9,17 20:5 21:14 23:9 64:12 68:21 80:6 190:20 private 11:20 16:10 16:12 probably 25:18 30:17 148:16 171:15 174:19 181:7 problem 40:22,24 147:15 Procedure 1:17 proceeding 221:12 proceedings 10:6 64:19 69:22 77:11	109:17 125:9 137:1 172:19 179:13 180:20 201:2 202:15 209:19 220:3 222:13 process 159:11 produced 8:20 professional 6:24 progress 172:16 200:22 prohibitive 20:15,17 projected 20:9,13 22:14 Provisioning 20:4 Public 1:18 223:3,19 publications 23:1,3 Puerto 200:9,11,16 202:12 208:16 purchase 14:15 purchased 14:16 purchasing 15:24 purpose 24:22 pursuant 1:16 push 92:1 pushed 28:23 29:1 201:14 pushing 32:24 put 16:16 17:8 68:12 68:24 69:5,6 106:12 165:19 167:20 169:9 175:16 210:9 <hr/> Q QT 11:20 qualifications 15:18 18:2 quarter 210:22 queasy 150:13 169:24 170:3,5,7 question 4:21 5:11 9:9 19:9,13 33:4,5 33:20,22 37:16 50:13 62:6 63:1,8 66:2 73:6,17,20 75:5 77:5,23 78:21 80:6 85:18 94:2 98:17 102:5 103:11 117:21 122:22 129:12,16 144:17 145:5,6 146:9 147:8 148:15 149:6
--	---	---	--	--

149:11 159:13 163:24,24 164:8,12 164:18 166:24 167:7 168:4 171:17 173:4 174:14 175:13 178:24 190:14 198:24 201:4 202:1 206:24 209:7,22 210:10 218:17 questioning 76:16 126:3 146:12 163:16 209:21 questions 39:19 50:9 62:12 68:21 70:23 78:11,20 79:4,12 79:15,18 80:5 94:19 95:5,8,11 146:11,17,21 148:2 148:18,22 164:23 201:20 quicker 40:11 210:4 quickly 211:17 quite 14:1 211:16	186:22 193:9,13,18 208:8 ran 177:2 range 13:20 Raymarine 24:6 read 50:13 75:12 76:23 78:20,20,23 126:13 164:8,9 165:9 167:11 224:18 reading 103:3 165:12 165:17 real 211:17 realize 146:3 really 63:3 92:3 126:2 131:7 147:22 148:23 152:19 171:14 173:21 178:3 194:5 reason 39:18 153:8 reasonable 96:3 recall 60:15,17 72:24 96:2,18,24 103:19 103:21,24 104:8 106:13,15 107:19 109:9 113:1,5,7,16 115:1 118:8 119:7 119:9,15 120:3 122:2 124:3 125:7 131:20 133:15 136:17 143:15 145:3,4,7,10 150:6 153:7 154:17 155:2 159:21 160:9,17 173:1 174:15 175:3 181:12 182:12 183:1,4 184:4 188:4,9 194:7,9 195:1 198:2 202:21 203:18,24 204:1,4 204:7,10,19,22 205:1 206:1,4,7,20 210:13 212:1 213:18 215:19 216:6,9,12,15,21 216:24 217:3,21,24 219:18,19 220:6,9 220:12,15,18,21,24 receive 193:14 208:11 Recess 10:18 54:24 93:11 126:12 162:6	210:23 216:3 recollection 74:21 75:6 95:23 96:4 155:6,8 157:13 170:4 174:13 177:20 179:11 181:1,4 188:13 205:21 record 4:14 5:12 10:16 19:15,20 30:5 35:15 36:4 40:23 41:22 42:6 45:13 46:9 51:2 54:12 60:12 62:3 71:10 75:8 76:23 92:14,15 94:11 146:7 147:1 158:21 159:6 161:20 162:12 165:19 173:5 177:11 179:12 199:1 216:2 222:10 223:8 224:20 recording 49:11 records 45:16,17 reduce 159:20 197:21 205:14 reduced 159:18,19 177:3 183:15,15,17 187:20 190:12,15 190:19,19,22 191:3 reef 159:10,14 reefs 106:21 112:2 117:5 121:15 127:21 133:13 138:17 143:13 158:12,24 183:13 refer 12:6 31:9 75:8 reference 22:20 168:5 referred 162:7 referring 26:13 33:17 68:23 70:11 173:7 185:7 refresh 177:20 180:24 181:4 Registered 1:18 223:2 related 17:23 223:10 relating 15:12 40:15 relevant 149:11 165:15,17	rely 166:9 remain 150:4 remained 151:8,9 158:17,18 remember 13:19 14:6,9,11 16:6 20:14 22:1,4 24:7 25:23 28:16 29:22 31:4,7,16,19,22 32:4,10,18,19 34:12 35:4,18 36:11 37:4,7,23 38:2,5,8,15,23 41:12 42:1,15,18 42:21,24 43:3,5,7 43:10,13,21 44:3 45:3 47:4,7 48:1,7 49:2 51:14,17,20 51:23 52:2,5,8,11 52:15,16,24 53:17 54:2,5 55:19 56:4,9 56:12,15,18,21,24 57:13,14,16 58:2 58:21,23 59:17 60:3,6,23 66:9,12 66:16,17 67:19 69:7 71:1,12,21 72:4,9,18 74:10,13 75:22 76:10,13,17 76:20 77:1,3,7 79:24 80:3 81:19 82:9,15,24 83:16 83:18,24 84:1 85:7 86:9,12,21,23,24 87:2,5,17,21,22 88:2 90:11,15,20 91:21 92:11,19 94:2 95:13,15 97:3 97:6,9,24 98:9 99:11,13,16,21 100:16 101:1,4 102:7 104:15,23 105:2,5,8,11,14,17 105:17,20,24 106:3 107:9,12,23 108:1 108:2,4,5,16 109:1 109:4 113:9,11 114:14 115:5,23 116:3 118:1,8,11 118:15,17,22 119:10 122:8,11,14 122:18,19 123:1,9	123:11,13,20,22 124:12,15,20 125:13,16 128:16 128:19,23 129:1,4 130:3,4 131:10,15 131:21 132:3,7,10 132:13,16,20,23 133:2 134:6,9,12 134:15,19,21 135:3 135:16 136:7 138:19 139:4,10,13 139:15,17,19,22 140:3,6,23 141:11 141:23 144:6,9,14 144:15 145:12,20 146:23 147:9,17,22 148:4 149:19 150:19 152:24 153:2,11,14,22 154:13 171:11 174:8 176:19,23 181:10 183:18 184:23 186:8,10 188:15,18,20 189:1 189:4,7,14,24 190:3 193:12 194:16 195:23 196:3,6,9,12 197:7 197:10 198:7,10 204:13,16 209:9 211:11 212:6,9,12 212:15 213:4,7,10 214:3,6 215:10 216:18 218:22 221:9 remembering 25:1 74:14 75:1 104:12 162:18 172:21 174:2 remembers 147:18 remind 29:7 34:8 171:18 reminder 18:23 remotely 4:2 223:6 Renting 16:23 repeat 27:4 30:19 31:10,12 50:16 55:19 62:6 74:6 75:9,19 88:23 129:9,11,12 162:14 168:11 177:9 201:5 repeating 15:15
---	---	---	--	---

181:9 211:24 rephrase 33:9 37:18 report 140:17 reported 22:1 reporter 1:18 4:3 19:14 75:3,13 78:19,24 126:14 145:22 164:10 223:3 represent 4:9 requested 75:12 78:23 126:13 164:9 reread 165:20 resend 9:6 residential 5:14 response 77:19 148:3 responsible 18:24 rest 11:14,16 restate 103:11 resumé 17:11 retired 6:2 returned 178:9 Rico 200:9,11,16 202:12 208:16 right 4:13 5:11 7:21 8:14 9:4,22 10:20 11:11 41:2 54:23 62:22 64:16 68:6 70:21 77:17 78:7 79:10 91:22 92:22 108:10 109:19 114:18 119:19 124:24 131:14 141:15 145:21 149:16 151:6 152:22 160:24 161:20 162:2,16 164:14 169:9 175:13 181:23 188:4 194:13 195:15 200:22 202:16 206:3 209:2 209:24 211:1,16 215:14 221:23 222:1,5 Road 11:21 roll 158:14 rolled 159:18 Ron 25:12 29:15,16 29:20 34:23,24 35:2 39:9,14 41:8 41:10 44:21,22	45:1 48:12,17,22 48:24 53:3,8,13,15 58:22 59:7,12,15 71:17,20 72:3,5 78:8,22 81:24 82:8 82:10,13 85:21 86:2,6,8,10 90:10 90:14,16 99:14,20 100:4,11,14 107:20 108:2,5,14 109:10 113:3,10,12,14 114:12 118:9,16,18 118:20 122:9 123:10,21,23 124:1 124:18 128:17,24 129:2 130:11 134:7 134:13,20,22 135:1 136:5 139:11,18,20 140:4 141:9 144:7 150:13 160:21 161:8 168:6,17,22 184:11,17 185:17 185:20 186:3 192:2 192:15,17 195:5 199:6,12,17,19 206:21 207:5,17,19 213:13 214:21 215:4,6,8 218:7,10 218:12,20,23 219:7 219:10,14,16 Ronald 169:19,22 roughly 27:13 55:23 92:12 102:17,19 147:19 round 25:21 57:14 57:17,20 68:7,10 70:20 rounded 57:9,12 67:10,16,17,19,24 68:12,15,24 69:5 70:9,10 173:8 rounding 57:9 70:8,9 93:20 route 20:10,13 165:5 166:7,19 185:3,15 185:21 RPM 29:4 38:21 44:3 48:7 52:22 58:2 71:12,12 81:19 85:11 89:20 98:4,7 98:12,19 107:9,12 112:15,18 117:22	121:24 122:3 128:5 128:7,10 133:22 134:1 139:2,5 143:22 144:1 160:7 160:10,15 184:1,4 191:8,11 198:7,10 206:4 214:3,6 217:21,24 RPMs 34:12 71:1,7 118:1 206:7 Rules 1:17 run 98:16 209:16 <hr/> S <hr/> safe 21:14,16 30:9 35:18 42:1 45:23 49:19 50:18 54:2 60:3 72:18 82:24 86:21 91:5 101:1 109:1 119:7 124:12 130:23 135:20 140:23 179:21 187:4 200:6 201:11 201:18,23 202:2,6 202:9 safely 178:10,21 179:2,17 sail 11:23,24 16:23 28:17,22 52:16 121:14 159:1,22 177:3 178:18 191:21 213:21 sailboats 13:13 sailed 14:1,1 18:12 179:22 205:22 sailing 13:22 15:18 18:2,5,8,11,14,15 33:2 162:9 sailor 163:8 sails 28:14 32:16 38:14 43:19 47:23 52:14 57:6 67:8,12 68:13,24 69:6 81:14 85:4 89:15 97:22 106:9,12,16 106:19,24 111:21 111:24 112:2 116:24 117:3 121:10,13 127:16 127:19 133:8,11 138:12,15 143:8,11 151:16 158:7	169:15 183:10 190:9 197:16 205:9 205:12 207:3 213:16 sake 185:6 sales 5:21,23 salon 161:9 Santo 193:17 satellite 23:19 saying 40:10 65:15 92:17 162:21,22 170:5 180:6 211:22 says 8:17,21 10:12,12 10:13 11:20 12:2 149:3 school 6:7,9,12 18:7 screen 169:5 Scroll 12:12 SE 1:7 sea 1:20 5:16 16:2 21:7 24:16 27:1 149:10 178:6,8,12 178:14 202:5 207:3 seal 223:15 seasick 29:18 34:24 41:8 44:22 48:22 53:13 59:12 72:5 78:9,22 82:10 86:6 90:16 100:11 113:12 118:18 123:23 134:22 150:14 169:22 170:3 186:3 192:17 199:19 207:19 215:6 219:14 sec 201:1 second 8:6 14:7 19:14 94:18 209:18 220:1 seconds 164:12 see 9:17 10:4 11:4,19 12:19 35:20 40:24 62:8 70:23 149:13 149:17 167:6 176:8 176:18 seen 10:20 185:24 sell 5:22,24 6:1 send 10:8 sense 70:15 100:6 165:16 sent 8:5,14 9:20 10:9 series 66:2	serve 17:3 18:16 served 17:16,19 18:20 19:1 serves 174:17 set 32:22 34:1 68:15 100:3 174:15 178:18 223:6,14 sets 28:22 seven 11:7 severe 20:22 shake 164:4 share 9:12 shared 9:8 SHEET 224:1 ship 165:5 166:7 178:16 185:4,15,21 ships 140:18 shore 30:12 36:1 42:3 46:6 50:23 54:9 60:9 72:21 73:14 73:21 83:6 87:6 91:13 101:16 109:11 114:13 119:13 124:18 131:8 136:5 141:9 172:6 short 91:24 161:23 162:2 shoulder 5:5 show 78:14 shrug 5:5 sick 72:5 195:5 side 30:11 35:20 42:2 45:24 49:21 58:18 163:20 180:14 sideways 201:14 signed 150:9 simply 22:19 70:16 single 95:16 148:3 162:19 sink 15:2 sir 5:3,7 7:14 19:7,16 70:6 93:19 102:10 155:8 165:10 194:8 sit 161:6 193:1 sitting 129:19,24 130:4 148:23 161:4 161:13 168:24 184:22 185:24 situation 162:7 221:23 six-hour 214:11
---	--	---	--	---

215:24 217:22 skills 223:8 skip 77:5 sleep 168:19 192:13 192:15 199:15,17 207:13,17 215:2,4 slight 212:3 slightly 177:3 203:15 210:4 slot 70:8 small 13:23 smaller 159:2 smoothly 65:24 snippet 39:24 sold 16:7 solution 8:10 somebody 11:13 58:14 99:6 somewhat 30:20 62:9 96:21 116:2 soon 40:11 sorry 10:3 34:16 41:16 50:2 56:8 74:6 88:13 104:4 129:10 146:3 161:18 164:5 167:16 168:11 171:11 178:23 194:8 196:17 198:23 202:14,16 203:11 205:24 211:15 215:1 221:18 sort 150:14 153:4 159:8 210:15 sorts 158:21 sounds 8:12 south 151:1 175:11 211:6 southeast 57:12,15 57:17,20 93:20 178:22 179:3,18 southeastern 55:8 57:10 southwest 188:22 speak 4:17 5:6 147:14 speaking 4:17 63:23 158:23 specific 92:19 95:21 95:24 96:4 147:3 147:22 148:3,5	173:24 174:14 180:1 202:1 specifically 152:3 specificity 147:16 specify 40:11 167:1 speech 4:12 speed 26:4,8,10,19 26:22 29:7 31:4,16 31:19 32:10,21,22 36:18 37:4,7 38:8 42:15,21,24 43:13 46:21 47:3,5,19 49:24 51:11,17,20 52:11 55:10,16 56:1,4,24 65:2,8,11 66:10 67:2 80:11 80:17 81:8 83:17 84:1,4,22 88:3,15 88:18 89:9 95:1 96:15,22 97:1,16 103:8 104:23 105:2 105:8,11 106:3 109:24 110:3,9,12 111:15 115:2,5 116:3,7,18 120:4,7 120:13,16 121:7 125:11,14,17 126:16,19 127:10 127:10 131:21,24 132:7,10 133:2 136:18 137:11,15 138:6 141:24 142:6 142:9 143:2 151:14 151:16 152:1,17 153:12 154:9,16 155:1 158:1 177:1 177:5,13,17 181:5 181:20 182:5 183:5 188:15 189:1,4 190:3 195:23 196:3 196:9,12,19 197:10 203:18 204:4,7 205:1 211:8 212:1 212:6 213:10 216:9 216:12,18,21 217:13 220:9,12,18 220:21 spend 148:17 spinal 6:1 Splendid 8:3,8 13:7 27:6 94:8 96:11 163:2 168:13	210:20 spoke 159:4 161:2 177:9 198:23 221:18 St 114:10 202:7,7 standing 214:18 starboard 24:10 58:18 106:23 107:1 107:2 112:4,6 117:7 121:17 127:23 130:16 133:16 138:20 143:16 160:2 161:5 162:10,23 163:7,16 163:20 168:24 169:3 183:20,22 198:3,4 205:17,18 213:19 start 7:21 8:2,10,23 13:22 14:11 79:20 147:7 149:17 started 153:2 158:15 starting 8:24 11:17 47:1 starts 178:13 state 5:13 27:1 stated 76:17,18,20,21 95:12 102:7 146:6 statement 150:9 STATES 1:1 stating 76:19 station 24:11 99:1,2 99:10,14 107:15,20 107:24 108:3,6,8 112:21 113:3 118:4 118:9 122:6,9 128:14,17 130:16 134:4,7 139:8,11 144:4,7,10,16,19 144:24 145:13,19 146:8 161:5,14 168:24 169:3,10,12 169:14 176:17 184:9,12,22 186:1 191:15,19 192:2,7 193:1 198:14,21 199:4,7 206:10,21 207:1,5,9 214:10 214:16,22 218:4,7 218:12,21,23 219:11,12 stations 90:9,10	stay 179:22 stayed 28:7 steer 99:7,7 steering 24:10 58:12 58:16 90:2,4 98:24 99:1,9,14 107:15 107:20,23 108:2,5 108:8 112:21 113:3 118:4,9 122:6,9 128:14,17 130:16 134:4,7 139:8,11 144:4,7,10,16,19 144:24 145:13,19 146:8 151:2,3 161:1,5,14,16 166:12 167:4 168:24 169:3,12 176:16 184:9,12 186:1 191:15,19 192:2,6 193:1 195:15 198:14,21 199:4,7 206:10,15 206:21 207:1,5,9 214:10,16,21 218:4 218:7,12,21,23 219:5,7,10,11 stipulate 148:1,2,10 stipulation 147:2 Stockton 1:20 5:15 stop 66:7 209:21 stopped 40:9 205:21 stored 24:12 storm 20:18,19,19,21 21:4,7 straight 199:1 202:4 Street 2:4 strength 20:20,21 stressful 162:8 strong 21:13 struck 163:9 studies 6:14 subject 7:17 16:24 submission 79:3 submit 15:11 submitted 17:22 suffer 14:21 15:6 suffered 17:20 suggestion 8:6 suit 17:1 Suite 2:4 Sunday 154:1,3,4,5 221:2,3	Sunsail 16:21 sunset 174:11,13 176:11,19,23 179:9 179:16 180:23 suppose 22:5 supposed 182:19,22 sure 4:13,14 7:15 16:9 19:19 40:2,21 40:23 51:13 54:21 55:7,9,12,24 61:2 61:24 62:3,6,23 63:11 64:11,24 65:3,13 66:22 67:17 68:9,18,20 76:7 80:19 81:15 84:18 88:7 89:2,5 89:16 93:16 94:11 103:10,11 104:3,3 104:4 110:8 115:12 120:15,18 126:18 126:21,24 127:3,6 127:9,12 152:3 155:2,17 158:14 171:16,16 173:4,20 174:10 177:11 190:24 191:1 193:6 193:11 194:20 198:1,24 199:16,18 201:20 207:11 211:10 212:4 213:23 218:11,15 surf 178:15 Suspension 222:13 Swans 14:1 Sweden 6:13,14 Swedish 6:18 7:7 13:21 15:21,22 swell 20:16 21:12 27:14,17 37:24 43:8 47:11 52:3 66:18 80:23 84:13 97:7 105:18 110:19 111:7 116:13 120:23 127:2 132:17 137:22 142:18 150:11 157:2,7 182:13 197:2 204:14 212:13 217:4 swells 27:8,12,20 31:23 32:1,5 37:10 37:13,20 38:3 43:4
---	---	---	--	---

47:8,14 51:23 52:6 56:9,13,16,19 66:13,15,20 80:20 81:2 84:7,10,16 88:21 89:1,3 97:4 97:11 105:15,21 110:16 111:10 116:10 120:19 121:2 126:23 127:4 132:14,21 137:19 138:1 142:13,16,21 155:12,16,19,20,23 156:12 157:12 182:8,17 189:8,15 189:17 196:23 197:5 204:11,17 212:10,16 213:5 217:1,7 221:1 sworn 4:2 223:6 symptoms 170:6,9 186:7,11 192:19,23 199:21 200:1 207:21,24 system 159:8	tedious 54:22 126:2 tell 10:23 11:15 12:20 12:24 16:15 18:19 24:4 25:13 26:22 27:1,8,16,19 28:1 29:4 77:23 129:21 147:5 149:2 151:15 154:10 155:11,13 161:3 162:15,16 175:5,20 181:20 182:5,7,12,16 194:16 196:22 197:1,4 209:4 216:2 term 183:16 terminology 159:18 terms 47:2 158:24 testified 4:3 74:15,23 testimony 75:4,8,10 162:22 163:6 223:9 224:3,18,20 text 8:18 224:4,4 thank 12:19 13:4,7 15:23 18:23,23 19:12,18 27:6 41:3 44:22 47:1 50:4 62:4 64:16 68:4 77:17 96:11 111:9 112:10 114:12 126:11 137:9 145:23 162:5 164:11 168:13 181:9 188:24 189:14 195:19 thereabouts 21:19 thing 160:23 165:19 175:9 177:9 202:8 things 5:6 20:5 62:15 147:18,20,23 168:5 221:13 think 4:24 7:5 14:4 15:14 16:7,7 19:7 19:18 22:3,8 24:6 28:16 55:15,22 57:19 61:14 63:4 76:19,20,21 78:1 92:2,3 147:15,21 148:12,13,22 154:2 154:17,21 156:20 159:6 161:2 162:14 163:13 166:15 168:3 178:10	179:21 182:3 188:12 195:3 210:5 210:7 212:4 thinking 74:5 third 12:12,13,14 14:10 94:18 thorough 201:19 thought 9:20 10:4 93:6 137:9 163:10 201:18 213:23 three 13:13 14:17 146:21 154:22 three-day 79:5 threw 192:20 throttle 169:10 184:18 191:24 192:10 198:17 199:10 206:16 207:6 214:13 219:5 219:8 throttles 169:11 184:15 throwing 199:22 thrown 186:9 tie 159:10 ties 159:1 tiller 90:3 time 13:2 16:24 19:5 25:5,13 26:12,13 34:13 36:15 41:20 41:23 42:9 46:12 50:8 51:5 54:15 57:11,14 60:18 61:4 62:9 63:3,4 64:12 67:19 68:12 68:23 69:2,5 70:8 70:11 73:24 75:15 75:18,19,21,21 77:3,7 78:2,21 87:9 88:11 91:16 92:12 94:3,18,19 95:24 96:4,9 97:22 99:14 102:6,10,15,16,22 103:9 104:8 106:9 106:24 107:5,17 110:18,23 111:1,3 111:6 112:23 116:12 117:10,13 117:20 118:6 120:22 124:21 127:1 130:5,5 132:16,18 134:20	134:22 137:21 140:11,15 142:17 143:8 144:10 145:8 145:9 146:16 147:4 148:9 149:4 151:12 152:23 153:10 154:8,10,11,14 155:10,19 156:14 156:17 157:1,4,6 157:10 159:24 160:14,18,21 161:23 163:15 164:15,17 165:6,7 167:12,14 168:8,13 168:14,15,17,19,22 169:18,22 170:16 170:20,23,24 171:6 172:4,16 173:16 176:10,15 178:20 179:1,15 180:19,22 181:24 182:13 184:8,11,14,17,20 185:2,12,13,18,18 186:3,4 187:5,8,12 187:15 190:20,23 190:24 191:15 192:2,11 193:19 197:1,16 198:14 199:2,6,9,12,15,17 200:8,11,16 201:6 203:21 204:13,23 206:11,22 207:7,13 207:17,19 208:16 209:8 212:12,23 214:11,14 215:19 216:8 217:3 218:14 220:16,19,22 221:1 221:8,20 timed 157:8 times 17:7 39:21 40:9 76:22 79:13 146:6 147:22 154:22 191:20 192:21 214:17 timing 62:15 95:21 tip 55:8 tired 125:23 161:23 209:17 221:24 today 4:11 6:5 7:14 10:21 148:19 149:1 210:5 told 95:14 96:1	175:21 top 8:17 tough 171:10 track 30:5 35:15 41:22 45:12 49:11 traffic 167:24 208:11 214:19 transcript 39:23 41:1 224:4,18,19 transmissions 193:14 transmit 193:15,18 transportation 166:8 travel 210:18 traveling 195:6,9 treat 170:9 186:11 192:23 200:1 207:24 tricky 168:2 trip 23:2 45:17 trouble 221:15 true 223:7 224:19 try 9:5 40:10 62:8 149:12,16 183:18 193:18 trying 19:19 65:23 76:22 77:2 93:22 173:15 turn 4:18 8:14,16 70:3 201:8,16,24 203:22 turned 201:10 202:24 203:3,20 204:3 205:23 turning 87:18 109:19 114:18 119:19 124:24 136:11 141:15 167:4 188:4 194:13 202:13,20 209:2 220:5 Twenty-eight 8:1 twice 122:23 two 8:5 24:3,4 34:9 41:20 45:9 50:3 53:23 59:24 82:21 144:21,23 146:7 169:11 two-hour 99:12,15 100:11 215:20 type 13:14 typed 12:1
<hr/> T <hr/>				
tack 106:23 112:4,9 117:7,9 121:17 127:23 133:16 138:20,20 143:16 160:2 162:9,10,19 162:20,23 163:8,17 183:20,22 198:3,4 205:17 213:19,22 take 4:10 6:22 50:8 54:19 63:22 91:24 92:3 161:23 199:24 210:1,10 221:8 taken 10:18 18:4 54:24 93:11 126:12 162:6 210:23 216:3 talking 40:1 85:5 117:15 156:14 173:10,22 179:7,8 179:10 181:22 190:18 206:12 209:8 tall 27:8 37:13 51:23 56:9 66:15 84:10 88:21,24 97:4 tanks 22:3 taught 18:8				
<hr/> U <hr/>				

uh-huh 5:4	136:8 138:23	32:16 34:5 35:5,8	158:5,7 160:4,11	vs 1:8
unable 92:18	141:12 143:19	35:11,14 36:4,14	160:16 170:16,22	
unchanged 150:4	167:3 172:10	36:18 38:11,14,16	176:10,24 181:1,5	<hr/> W <hr/>
unclear 166:10	175:15,19 183:16	41:13,17 42:6,9,13	183:7,10,23 184:1	wait 4:16,20 19:9
understand 7:15	183:17,23 184:24	42:15 43:16,19,22	184:5,9,12,15,18	23:6
14:7 19:16 21:3,6,9	187:15,24 191:5	45:4,6 46:9,12,16	186:20,22 187:1	wake 161:11
28:21 47:1 63:5	194:10 198:5	46:19,21 47:21,23	188:5,9,15 190:6,9	want 5:9 14:12 40:2
64:12 65:14 71:8	200:18 205:19	48:2 49:3,5,8 51:2	191:5,8,12,23,24	50:5 54:19 62:2,23
94:21 96:3 100:4	208:23 213:24	51:5,9,11 52:14,19	192:10 193:7,9,12	79:4,10 91:24,24
129:10,16 145:12	215:11 217:19	53:18,20 54:12,15	194:17 195:1,23	103:12 126:3,7,9
151:10,18 159:7,14	219:22	55:3,10 57:3,6,23	196:3 197:13,16	146:11 147:1 165:9
161:17 162:15	usually 175:21	59:18,21,24 60:12	198:5,7,11,17,20	173:4 174:19
168:3 173:12	183:17 211:14	60:15,22 63:9,12	199:3,7,10,13	177:10 179:24
175:13 221:8	212:21	63:15,18,24 64:3,6	200:18 202:22	180:6 200:17 210:3
understanding 62:16	utilize 8:6	64:9,22 65:1 67:5,8	205:5,6,9,19	222:7
65:18,21 96:6		69:24 71:1 72:10	206:10,15,21 207:6	wanted 40:22 173:19
137:5 151:7 152:13	<hr/> V <hr/>	72:12,15 74:4	208:6,8,12 209:4,9	wanting 16:23
159:3 161:13	vacillated 95:9	79:23 80:11 81:11	210:13 211:3,8	warm-up 5:12
173:18 195:14	Varadero 19:23	81:14,16 82:16,18	213:16,24 214:4,7	wasn't 21:12,12
understood 50:15	varies 30:24	82:21 83:15,17	214:13 216:7,9,12	117:21 146:3
171:2 211:21	vary 34:2	85:1,4,8 86:13,15	217:17,19,21 218:1	163:12 201:18
unfortunately 152:1	veering 153:4 181:17	86:18 87:20 88:3	219:4 220:7,9,12	watch 161:7,8
188:17	Venezuela 102:13,13	89:12,15,17 90:21	vessels 13:9 14:17,20	watched 185:23
UNITED 1:1	179:4,19	90:23 94:15 95:1	15:9,12 17:13,16	watching 99:5
units 30:3 35:11,14	Venezuelan 21:17	96:15 97:19,22	18:14,14,15,17,19	water 21:20,21,22
41:20 45:9,12 49:8	179:23 180:9,10,16	98:1 100:17,19,22	19:1 24:23	126:8 199:23
49:14 53:23 59:24	verbal 5:3	101:24 103:5,8,15	VH- 193:12	207:23 208:2
72:15 82:21 86:18	verify 78:19	104:21,23 105:2	VHF 30:1 35:8 41:17	watermaker 21:23
91:2 100:22 108:22	vessel 7:14,16,18,19	106:6,9,12,16	45:6 49:5 53:20	wave 27:14,16,19
113:22 119:4 124:9	16:1,4,22 17:4,20	107:3 108:17,19,22	59:21 72:12 82:18	37:23 43:7 47:11
130:20 135:17	17:23 23:9,18,20	109:21,24 110:3	86:15 90:23 100:19	52:2 66:17 80:23
140:20 171:3 187:1	24:2,20 25:1,8,11	111:18,21 112:10	108:19 113:19	84:13,16 97:7
193:21 208:12	26:1,7 28:23 29:8	113:17,19,22	119:1 124:6 130:17	105:18 110:19
university 6:13,20,22	29:12 32:23,24	114:20 115:2,5	135:6,9 140:7,11	111:7 116:13
unsafe 201:12	33:2 34:8,19 39:11	116:21,24 117:10	140:13,14 169:4	120:23 127:2
unsure 66:6	39:14,21 44:11,14	118:23 119:1,21	170:22 186:22	132:17 137:22
updated 24:18	48:14,17 49:15	120:4,7 121:10,19	193:9,13,15,18	142:18 157:1,6
use 11:20 23:24 34:5	53:5,8 58:12,16,17	124:4,6,9 125:2,11	208:8	182:13 197:2
34:10 36:7,10	58:20 59:1 71:7,22	125:14 127:13,16	vicinity 71:19,20	204:14 212:13
38:16 42:9 43:22	75:16,20 82:2	127:19 128:2 129:5	Vincent 114:10 202:7	217:4
46:12 48:2 51:5	85:23 86:2 90:5	129:7,13,14,21	vital 4:18	waves 27:8 31:22
52:19 54:15 57:6	99:22,23 100:4	130:14,17,20	vocabulary 58:11	32:4 37:10,13 38:2
57:23 60:18 69:24	128:5,10 134:10,13	131:11,16,21,24	volume 22:20	43:3 47:8,14 51:23
73:24 75:7 81:16	152:16 160:18	133:5,8,19,22	vomiting 207:22	52:5 56:9,12,15,18
83:9,11 85:8 87:9	164:17 165:1,8	134:1 135:4,6,12	voyage 19:24 20:5	66:13,15,20 80:20
89:17 91:16 98:1	167:12 168:7 169:7	135:17 136:8,13,18	23:10,15,22,24	81:2 84:7,10 88:21
101:19 107:3,5	179:17 184:21	138:9,12,12,23	30:5 35:15 41:22	88:24 89:3 97:4,10
109:13 112:10	188:6 206:4 210:17	139:2,5,23 140:1,4	45:13 108:6 117:16	105:14,21 110:15
114:15 117:10,13	214:10 215:16	140:7,20 141:17,24	130:6,7,9,12	111:3,10 116:9
119:16 121:19,22	vessel's 25:17 26:4	143:5,8,19,22	146:24 147:4	120:19 121:1
124:21 128:2	28:11,14 29:23	144:1 149:19	149:10 158:19	126:22 127:4
131:11 133:19	30:1,15 31:4 32:13	151:14 152:16	191:2	132:13,21 137:18

137:24 142:12,15 142:20 155:11,15 157:11 182:8,17 189:7,15 196:22 197:4 201:13 204:10,17 212:9,16 212:20 213:5 216:24 217:7 220:24 way 9:24 11:22 20:15 70:24 75:2 78:13 79:3 146:12 175:16 180:14 193:15 202:23 211:15 212:21 223:12 we'll 13:7 69:6 92:22 92:23 104:18 210:10,21 220:1 222:5 we're 4:10 7:21 8:16 12:14 32:21 40:1 40:21 57:9 62:6 71:10 79:6 93:22 137:4 146:16 147:11,15 156:14 160:24 161:4 173:21 175:14 200:22 206:12 209:8 210:4 222:10 we've 40:14 67:16 130:9 148:4 149:22 154:5 215:19 weather 20:6,9,12 102:24 191:21 Websites 23:3 week 79:7 222:6,6 weekend 79:7 weeks 21:23 weird 163:9 went 59:3 159:17 161:9,10 173:9 176:4 181:3 195:3 195:20 west 27:23 31:14 151:1 175:11 195:9 211:20 212:18,19 212:20 westerly 27:21 32:6 38:4 47:16 52:7 97:12 157:14,14,14 212:17,19 wheel 90:3 169:12	184:15,18 191:24 192:10 198:17 199:10 206:15 207:6 214:13 219:8 WHEREOF 223:14 whip 158:16 willing 147:5,7,8,24 148:11 149:12 210:5 wind 20:15 21:12 26:10,14,19,23 31:7,11,13,16,20 37:2,4,8 42:18,21 42:24 46:23 47:3,5 51:14,17,20 55:13 55:16 56:5 65:5,8 65:11 66:10 80:14 80:17 83:19 84:1,4 88:5,15,18 96:19 96:22 97:1 105:6,8 105:11 107:1 110:6 110:9,12 112:6 115:8,10,11,13,24 116:3,7 120:10,13 120:16 125:17,18 126:16,19 132:3,7 132:10 136:21 137:7,11,15 142:3 142:6,9 150:7,10 153:1,12,17,18,19 154:9,16,16,24 158:15 163:7,19 176:9 177:22,23 178:6,8,12 181:12 181:20 182:19 188:19 189:1,5,16 195:22 196:6,9,12 196:19 201:13 203:5,5 204:2,4,7 207:3 211:11,18 212:1,7,20 216:15 216:18,21 220:15 220:18,21 Windward 22:12 witness 1:15 9:5,13 9:16,23 10:8,10,12 50:10 65:22 77:23 88:13 92:10 93:5,9 98:16 126:7 162:1 162:4,7 163:1,21 164:5 166:20 171:20 189:22	196:17 203:11 209:16 210:8 213:2 218:17 221:17,21 221:24 223:5,9,14 224:3 word 166:11 167:3 work 4:16 5:19 149:13 175:17 worked 5:21 working 24:3,3 140:12 wouldn't 77:19 179:20 180:3 write 10:13 12:16 13:5 writing 11:20,21 12:1,4,5 13:2 written 71:10 wrong 162:9 wrote 12:23,23	1 1 224:3 1:00 64:3 68:10 75:23 77:13 78:3 103:5,14 1:08 126:12 1:10 126:12 1:49 162:6 1:58 162:6 10 36:20,24 46:4 49:23 50:1,21 54:7 68:19 152:5,17 153:15,19 177:17 181:8 189:11,12 196:24,24 212:3 10:00 54:10 55:2,5,6 55:11,14,17 56:10 56:13,16,19,22 57:1,4,7,11,24 58:4 58:6,20,24 59:2,5,8 59:10,12,16,18,22 60:1,4,7,10,13,16 60:19,21,24 61:7 76:11 94:6,15 95:1 95:17 96:2,15,19 101:17 141:16,18 145:17 207:14 214:23 10:02 1:21 10:11 10:18 10:14 10:18 10:30 60:21 64:21 65:17 66:9 68:23 69:24 71:2 73:1,9 73:12,15,22 74:1 74:15,22 75:11 76:8,24 78:8,11 79:14 95:6,6 11:00 64:9,22 65:17 66:9 67:23 68:7,23 70:1,11 71:2 73:15 73:22 74:1,3,9,12 74:16,23 75:11 76:5 78:8,12 79:14 79:15,20,22 80:2 80:11,14,18,20,23 81:3 82:10 95:6,6 11:05 54:24 11:11 54:24 11:30 74:3 79:16,22 80:2,12,15,18,21	80:24 81:3 82:10 83:14 85:5 87:14 95:6,6 12 26:17 55:22 182:9 212:3 12/15 103:5,20,23 106:14 136:12 137:13 155:9 12/15/2019 104:2 12:00 64:6 85:5 87:24 95:7 96:2 202:21 206:12 207:14 214:23,24 219:21 221:4 12:03 93:11 12:29 93:11 12:30 87:12,19,24 13 223:21 130 9:16 132 9:14,15 134 9:16 14 26:17 55:22 14th 19:22 21:10 25:2,5,16 26:5,11 26:23 27:2 28:2,5,8 28:12,15,19 36:13 36:16 40:9,10,15 40:16 41:6 42:7,12 46:15,18 51:8,12 55:3,6,11,14,17 56:10,13,16,19,22 57:1,4,7,12,18,24 58:4,7 59:13,16,19 59:22 60:1,4,7,10 60:13,16,19,21 61:1,5,8,20 64:10 64:22 66:9 67:24 68:8 70:1 71:2 73:1 73:9,12,15,22 74:1 74:3,9,12,16,23 75:11 76:3,6,9,12 77:13 78:3,8 80:12 80:15,18,21,24 82:11 83:14 87:15 94:16 95:2 96:16 96:20 211:2 223:15 14th-15th 64:13 14th-December 93:24 15 155:4 210:2,21 15th 40:12,19 57:21 61:11,16 63:10,13
---	--	--	--	--

63:16,19 64:1,4,7 68:10 75:24 76:3 77:14 78:3 87:12 87:19 93:24 101:22 101:23 103:14 104:19,21 106:17 107:6,7 109:20 113:2 114:21 118:7 119:23 125:6,12 129:15,23 131:15 141:16,19 145:17 147:12 149:21 152:15,23 154:6,7 154:7,9 157:10,17 157:24 159:24 164:15 165:7 167:13 168:7,15,20 169:18 170:23 172:4,23 173:2 174:3,9,12 179:16 180:23 215:15 216:5,6 218:16 220:6 222:8 15th-16th 176:11,24 180:24 185:14,20 188:2,7,10 191:16 192:3 15th-December 176:1 16 13:21 140:17 16th 104:6,14 176:1 188:7,11 191:17 192:4 193:13,19 194:15,18,21 195:2 196:1 200:20,24 201:7 202:21 203:17,23 204:23 205:3 209:3,11,12 210:13 17:00 40:14 17th 222:8 1949 5:15 1980s 14:3 1990 7:5	91:10 101:7,10 154:1 155:1,5 182:4 224:22 200 22:8,8 2005 165:14 2012 16:8 2017 16:7,8 2018 17:9 2019 14:16 17:10 19:22 21:10 25:3,5 46:15,19 51:8 55:3 60:21 74:4,9,12 94:16 95:2 96:16 96:20 101:22,23 119:23 2021 1:21 223:16 2025 223:21 20s 189:3,3 211 2:4 215 1:19 5:15 22:00 94:6 222 3:15 23:00 64:21 233 2:4 244 2:12 25 154:2 182:4,6 26A 8:6 26s 8:5 28 8:10 29 3:15 5:15 8:2,11 8:17 222:11	360-degree 175:11 38 13:24 39 13:24	4 4 3:3 27:3,5,11 156:5 187:21 4:00 63:15 109:20 112:24 114:18,21 118:7 188:7,10 191:16 192:3 194:13,17 195:24 197:23 200:19 209:2,10 210:12 4:20-cv-40020-DHH 1:8 444 16:5 45 151:3 195:16 45-50 188:14 460 27:4 4th 1:21	5 5 34:2 36:22 151:18 152:9,17 156:7,10 174:19 175:21 177:5,13 181:7 187:21 195:21 5:00 25:6,8,14,14,15 63:12 114:19,21 118:7 119:20,22 50 69:10 141:2,5 150:20 174:20 181:3 188:13 50- 150:4 55 61:3,14 63:11,14 63:17,20 64:8,14 68:16 74:5,7,8,11 75:20,23 77:14 78:4 87:23 88:1 93:14 94:1,3 102:1 102:3,11 103:7,16 104:9,22 109:23 114:22 119:24 125:4 131:17 136:14 141:20 150:2,5 151:2,9 173:9,14,16 174:4 174:5,20 175:18 181:3 216:8 220:8 55-ish 64:2,5 5th 112:24	6 6 27:3,5,11 156:12,20 6:00 25:15,16 26:4,11 26:13,23 27:2,9 28:2,4,7,11,14,19 29:2,5,8,10,12,14 29:16,18,21 30:6,8 30:13,17 31:9 32:2 32:6 57:21 61:10 63:9 103:22 104:5 104:13 119:20,22 125:1,5,11 129:14 129:22 154:20 173:1 174:8 181:22 211:2 214:23,23,24 215:15 216:5 218:16 219:21 220:5 221:4 6:30 26:23 27:2,9 28:2,5,8,11,14,19 29:2,5,8,10,12,14 29:16,18,21 30:6,8 30:13,15,17 31:5,8 31:9,17,20,23 32:2 32:6,6,7,11,14,16 32:20 34:5,15,17 34:19,22,24 35:3,5 35:9,12,15,19,22 36:2,5,7,10 60 61:3,14 64:14 68:16 75:20,23	38:24 39:3,9,12,15 39:22 41:5,8,11,15 41:18 42:4,7,10,12 42:16,19,22 43:1,4 43:8,11,14,17,19 43:22 44:4,6,8,11 44:14,17,22 45:2,4 45:7,10,13,22 46:1 46:7,10,13 70 102:17 72 13:19	8 8 11:7 34:2 182:9,11 189:10,10,12 196:24 8:00 42:12,16,19,22 43:1,4,8,11,14,17 43:20,23 44:4,6,9 44:12,15,18,23 45:2,4,7,10,13,22 46:2,7,10,13,15,18 47:6,8,11,15,23 48:2,8,10,12,14,17 48:20,22 49:1,3,6,9 49:12,19 50:24 51:3,6 131:14 136:11 137:12 194:14,18 196:1 197:23 200:19,23 201:6 202:13,20 203:16 205:2 206:12 207:14,14 8:30 46:15,18 47:6,9 47:12,15,24 48:3,8 48:10,12,15,18,20 48:22 49:1,3,6,9,12 49:20 50:24 51:3,6 51:8,11,15,18,21 51:24 52:3,6,9,12 52:14,16,19,22 53:1,3,5,8,11,13,16 53:18,21,24 54:3 54:10,13,16 77:13 78:2,2 80 102:19 103:1	9 9:00 51:8,11,15,18,21 51:24 52:3,6,9,12 52:14,17,20,23 53:1,3,6,9,11,13,16
---	---	--	--	--	--	--	---	--

53:18,21,24 54:3 54:10,13,16 136:12 137:12 141:15,18 145:16 147:11,13 149:20 150:3 151:8 151:12 152:14,22 153:10 155:9 156:16,23 157:9,16 157:23 159:23 160:13,20 164:14 165:6 167:13 168:7 168:13,19,21 169:17 170:17,23 172:3 9:30 55:2,5,6,10,13 55:17 56:10,13,16 56:19,22 57:1,4,6 57:23 58:4,6,20,24 59:1,5,8,10,12,16 59:18,22 60:1,4,7 60:10,13,15,19,24 90 102:18				
---	--	--	--	--